

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

---

**TWENTIETH DAY'S PROCEEDINGS**

**Thirty-Third Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, June 5, 2007

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

PRESENT

Mr President	Fields	Michot
Adley	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Cassidy	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Ellington	McPherson	
Total - 37		

ABSENT

Amedee	Boasso
Total - 2	

The President of the Senate announced there were 37 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Jessie Bourgoyne, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the  
Legislative Bureau**

June 5, 2007

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

**HOUSE BILL NO. 62—**  
BY REPRESENTATIVE CROWE  
AN ACT

To authorize and provide for the transfer of certain state properties in St. Tammany Parish from the division of administration to the city of Slidell.

Reported without amendments.

**HOUSE BILL NO. 114—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact Section 3 of Act No. 222 of the 2005 Regular Session of the Legislature of Louisiana, relative to the transfer of certain state property in Jefferson Parish; to extend the termination date of the Act; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 198—**  
BY REPRESENTATIVE MCVEA  
AN ACT

To provide relative to the selection of a contractor for the restoration of the East Feliciana Parish courthouse; to require the parish to use the state's list of contractors who are prequalified for historic preservation projects; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 199—**  
BY REPRESENTATIVES CAZAYOUX AND BARROW  
AN ACT

To enact R.S. 25:221.1, relative to the West Baton Rouge Parish Library; to prohibit the West Baton Rouge Parish Library Board of Control from spending the principal of the Judge Paul B. Landry, Jr. Memorial Fund; to authorize the board to spend the investment earnings of the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 211—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To enact R.S. 47:1923(D), relative to tax assessors; to provide for the payment of certain insurance premiums for certain retired assessors and assessor's employees; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 292—**  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(26), relative to St. Landry Parish; to increase the maximum rate of the hotel occupancy tax authorized to be levied by the St. Landry Parish Tourist Commission; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 302—**  
BY REPRESENTATIVES QUEZAIRE AND MARTINY  
AN ACT

To amend and reenact R.S. 38:241(F)(2) and 244(B), to enact R.S. 49:214.12(A)(1)(s) and (t), and to repeal R.S. 36:509(E)(1) and R.S. 38:242(3) and 243, relative to hurricane flood protection; to abolish the Hurricane Flood Protection Advisory Commission within the Department of Transportation and Development; to increase the membership of the Governor's Advisory Commission on Coastal Protection, Restoration and Conservation; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 315—**  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact R.S. 47:463.135, relative to motor vehicle prestige license plates; to provide relative to the creation and issuance of the "Chez nous autres" prestige license plate; to provide relative to the design of the plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 316—**  
BY REPRESENTATIVE KLECKLEY  
AN ACT

To amend and reenact R.S. 34:208(A) and (B), relative to the Lake Charles Harbor and Terminal District; to provide relative to procurement of materials and supplies by the district; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 339—**  
BY REPRESENTATIVES QUEZAIRE AND WILLIAMS  
AN ACT

To amend and reenact R.S. 48:285 and to enact R.S. 48:292.1, relative to the employment of consultants by the Department of Transportation and Development; to provide for a Small Engineering Consultant Program within the Department of Transportation and Development; to provide for prequalification requirements of consultants participating in the program; to provide for selection of prequalified consultants; to provide with respect to consultants being disqualified from participation in said program; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 345—**  
BY REPRESENTATIVE BADON  
AN ACT

To amend and reenact R.S. 23:1541(4) and to enact R.S. 23:1531.1, relative to unemployment insurance; to authorize the secretary of the Department of Labor to require electronic filings of contribution and wage reports under certain circumstances; to provide that the electronic filing requirement be implemented through administrative rule; to provide for waiver; to provide relative to employer notification of contribution rates; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 398—**  
BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact R.S. 32:365(A)(2)(d), relative to motor vehicles; to provide relative to the use of visual display technology in motor vehicles; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 406—**  
BY REPRESENTATIVE FRITH  
AN ACT

To enact Chapter 27-H of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.121 through 9039.125, relative to the Abbeville Film and Visitors Commission District; to create and provide with respect to such district, including provisions for the district and its governing board and their powers, duties, functions, and responsibilities; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 413—**  
BY REPRESENTATIVES TUCKER AND ARNOLD  
AN ACT

To amend and reenact R.S. 38:330.1(C)(1)(introductory paragraph) and (b) and (L) and 330.8 and to repeal R.S. 38:330.1(F)(5), relative to the Southeast Louisiana Flood Protection Authority-West Bank; to provide for management of the affairs of the authority; to provide relative to residency requirements for members of the authority; to provide relative to involvement of certain members in decisions of the board; to provide relative to compensation of members; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 424—**  
BY REPRESENTATIVE WHITE  
AN ACT

To amend and reenact R.S. 17:66(A)(2) and (C), relative to the Central Community School System; to provide relative to the geographic boundaries of the school system; to provide relative to when school board members take office; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 434—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 48:105.1, relative to transportation training and education; to create a special fund in the state treasury; to provide for fees; to provide for deposit of fees; to provide for uses and disposition of fund monies; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 467—**  
BY REPRESENTATIVE TOWNSEND AND SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to assessors; to increase the compensation schedule for assessors; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 477—**  
BY REPRESENTATIVE TRICHE AND SENATOR CHAISSON  
AN ACT

To amend and reenact R.S. 25:341(D)(7) and (E) and to enact R.S. 25:341(D)(8), relative to the membership of the Board of Directors of the Louisiana State Museum; to provide for appointment of an additional member from a panel provided by the Friends of the Edward Douglass White Historic Site; to provide for the terms of board members; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 490—**  
BY REPRESENTATIVE GRAY  
AN ACT

To enact R.S. 33:9091.11, relative to the Hurstville Security and Neighborhood Improvement District in Orleans Parish; to create and provide relative to such district, including provisions for the district and its board of commissioners and their powers, duties, functions, and responsibilities; to provide for the imposition and collection of a parcel fee and for the use thereof; to provide relative to liability of board members and officers; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 491—**

BY REPRESENTATIVE BARROW  
AN ACT

To enact R.S. 33:2740.67, relative to economic development in East Baton Rouge Parish; to create and provide for the Greenwell Springs-Airline Economic Development District within such parish; to provide for the governance, powers, duties, and plans of the district; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 507—**

BY REPRESENTATIVES LABRUZZO, DOVE, ERDEY, M. POWELL, ST. GERMAIN, AND TUCKER  
AN ACT

To amend and reenact R.S. 33:1975(A), relative to exemptions from tolls on bridges and ferries; to provide for the exemption from tolls for firemen; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 526—**

BY REPRESENTATIVE ANDERS  
AN ACT

To amend and reenact R.S. 33:4709.1(A) and (B) and to enact R.S. 33:4709.1(J), relative to the town of Vidalia; to provide that the Vidalia Riverfront Development District shall be a political subdivision of the state; to provide for district purposes and the powers and duties of the district and its governing authority; to authorize the district, through its governing authority, to levy a hotel occupancy tax; to provide for the use of the avails of the tax and to otherwise provide with respect to such tax; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 582—**

BY REPRESENTATIVE WINSTON  
AN ACT

To authorize the Board of Supervisors of Louisiana State University to transfer certain buildings, structures, and facilities to St. Tammany Parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 595—**

BY REPRESENTATIVES TRAHAN, ALEXANDER, BADON, CHANDLER, CRANE, CROWE, DOWNS, FANNIN, ELBERT GUILLORY, KENNEY, T. POWELL, AND RITCHIE  
AN ACT

To amend and reenact R.S. 17:24.10(A) and (I)(3), to provide relative to a program for early childhood development and enrichment activity classes; to designate a program name; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 628—**

BY REPRESENTATIVE K. CARTER AND SENATOR DUPLESSIS  
AN ACT

To amend and reenact R.S. 38:281(9), 291(K)(1), 330.12(A), and 336(A) and to enact R.S. 38:281(10), relative to the Orleans Levee District; to clarify and provide for the ownership and management of certain property of the district; to provide relative to the disposition of the proceeds of any sale or alienation of such property; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 651—**

BY REPRESENTATIVES CURTIS AND HUNTER  
AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3)(a)(introductory paragraph) and (b) (introductory paragraph), (6), and (7), relative to worker's compensation; to provide for the

determination of the liability of the Second Injury Fund; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 651 by Representative Curtis

**AMENDMENT NO. 1**

On page 3, line 26, following "with" and before "as" change "R. S. 23:1023" to "R. S. 23:1203"

**HOUSE BILL NO. 766—**

BY REPRESENTATIVE FANNIN  
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(x)(ff) and to enact R.S. 32:409.1(A)(9), relative to driver's licenses; to change the eligibility of citizens of other countries for a driver's license; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 771—**

BY REPRESENTATIVE JEFFERSON  
AN ACT

To amend and reenact R.S. 33:9091.9(F)(2)(b) and (c), relative to the Twinbrook Security District; to provide relative to the parcel fee imposed within the district; to provide relative to the definition of "parcel" with respect to condominiums; to provide relative to the payment of the parcel fee; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 779—**

BY REPRESENTATIVE ELCIE GUILLORY  
AN ACT

To amend and reenact R.S. 23:1651 and R.S. 36:308(B) and (C), relative to the office of regulatory services; to provide for a name change of the office of regulatory services to the office of unemployment insurance; to transfer certain functions of the office of regulatory services to the office of workforce development; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 832—**

BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 23:1514 and 1553(B)(6), (7), (8), (9), (10), and (11), to enact R.S. 23:1553(G), and to repeal R.S. 23:1553(B)(12), relative to the Incumbent Worker Training Program; to change the name of the Workforce Development Training Account to the Incumbent Worker Training Account; to provide for the funding of the Incumbent Worker Training Program; to provide for training for those employers who incur a state unemployment insurance tax liability; to provide for the types of training; to establish criteria eligibility; to provide for the administration of the program; to provide for the amount of credit based upon the applied trust fund balance; to provide for certain definitions; to provide for reauthorization of the program; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 853—**

BY REPRESENTATIVE HONEY  
AN ACT

To amend and reenact R.S. 32:80(A)(2), relative to overtaking and passing school buses; to provide for notification of violation; to modify the notification procedure; and to provide for related matters.

Reported without amendments.

June 5, 2007

**HOUSE BILL NO. 897—**  
BY REPRESENTATIVE KENNARD  
AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(a) and (b)(ii), (2), (4), (6), and (9)(a) and (D) and to repeal R.S. 32:414.2(E), relative to commercial driver's licenses; to require disqualification of commercial driving privileges for certain offenses; to provide with respect to suspension and revocation of driving privileges under commercial driver's licenses; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Senate Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 74—**  
BY SENATOR SMITH  
A RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of David McBride Carter of Natchitoches, Louisiana.

On motion of Senator Smith, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 75—**  
BY SENATORS JACKSON, ADLEY, CHEEK, MALONE AND SMITH  
A RESOLUTION

To designate June 5, 2007, as Northwest Connection Day at the Senate of the Legislature of Louisiana and to urge and request the governor and the Department of Transportation and Development to work in a collaborative effort with members of the Louisiana congressional delegation to make completion of Interstate 49 North a high priority and to seek all possible sources of funding, both state and federal, to complete this endeavor as expeditiously as possible.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 76—**  
BY SENATOR MURRAY  
A RESOLUTION

To recognize June 5, 2007, as Hunger Awareness Day in the state of Louisiana.

On motion of Senator Murray, the resolution was read by title and adopted.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

June 4, 2007

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 26—**  
BY REPRESENTATIVES ARNOLD AND SCALISE  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to limit certain increases in millage rates; to provide for applicability; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 27—**  
BY REPRESENTATIVES ARNOLD, BADON, BURRELL, CURTIS,  
MONTGOMERY, ODINET, SCALISE, AND JANE SMITH  
AN ACT

To amend and reenact R.S. 47:1705(B), relative to ad valorem taxes; to limit the ability of taxing authorities to increase ad valorem tax millages; to provide for applicability; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 123—**  
BY REPRESENTATIVE KLECKLEY  
AN ACT

To enact R.S. 47:354.1, relative to the occupational license tax; to provide for a rate structure for certain gasoline and motor fuel sales; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 676—**  
BY REPRESENTATIVE SMILEY  
AN ACT

To amend and reenact R.S. 32:781(33), 783(F)(6) and (8), 784(A)(6), (7), and (8), 792(A), (B), (C), and (D), and 811(K)(1) and to enact R.S. 32:783(F)(9) and (10) and 811(L), relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for commission's powers and duties; to provide for licensing of dealers of recreational products; to provide for licensing of used motor vehicle dealers and salespersons; and to provide for related matters.

**HOUSE BILL NO. 726—**  
BY REPRESENTATIVE DOWNS  
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv) and to repeal R.S. 38:2212(A)(1)(d)(iv), relative to public works performed by political subdivisions; to provide relative to the applicability of certain laws governing the advertising and letting of contracts to the repair of damage caused by Hurricane Katrina or Rita; and to provide for related matters.

**HOUSE BILL NO. 795—**  
BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 51:3083, 3084(5), (9), (10), (11), and (13), 3085(B)(1)(b) and (2), 3087(A) and (B), 3091, 3093(B), (C)(3) and (5), and 3094, relative to tax credits; to provide relative to the Louisiana Community Development Financial Institution Act; to provide for additional tax credits; to provide for an extension of the Louisiana Community Development Financial Institution program; to provide for the definition and use of "qualified Louisiana business"; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 828—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation

of funds; to provide for an effective date; and to regulate the administration of said funds.

**HOUSE BILL NO. 873—**  
BY REPRESENTATIVES BADON AND HUTTER  
AN ACT

To enact R.S. 48:756(A)(4), relative to distribution and dedication of state revenue; to provide for the distribution of monies from the Parish Transportation Fund and other state funds to the parish governing authorities; and to provide for related matters.

**HOUSE BILL NO. 929—**  
BY REPRESENTATIVE TRICHE  
AN ACT

To enact R.S. 47:6026, relative to tax credits; to provide for a refundable Louisiana income and corporation franchise tax credit for certain overpayments related to the inventory tax credit; and to provide for related matters.

**HOUSE BILL NO. 953—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2006-2007; and to provide for related matters.

**HOUSE BILL NO. 960— (Substitute for House Bill No. 860 by Representative K. Carter)**

BY REPRESENTATIVES K. CARTER, ANDERS, BOWLER, FARRAR, FAUCHEUX, HARRIS, KLECKLEY, LORUSSO, MORRELL, SCALISE, GARY SMITH, TOOMY, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 22:1382(A)(3)(a)(iv), 1401, 1402, 1404, 1404.1, 1404.2, 1405(B)(2)(b), 1407, 1408, 1411, 1416, 1417(B)(introductory paragraph) and (2), 1422, 1430.5(A), 1430.11(D), 1430.14, 1441.7(C), 1441.10, 1441.21(D), and 2092.5.1(B), R.S. 36:681(C)(1), and R.S. 44:4(5)(a); to enact R.S. 22:15(C)(22), 1402.1, 1402.2, 1402.3, and 1455 and R.S. 36:696; and to repeal R.S. 22:15(C)(8), (E)(16), (F)(7), and (G)(7), 1401.1, 1405(B)(2)(c), 1406, 1410(B), 1418, and 1450.3 and R.S. 36:686(C)(1), relative to insurance rating; to abolish the Louisiana Insurance Rating Commission and to transfer its powers, duties, and functions to the office of property and casualty; to provide for a file and use system for insurance rating; to provide for definitions; to provide relative to competitive and noncompetitive markets; to provide for rating standards and methods; to provide for the establishment of the office of consumer advocacy within the Department of Insurance; to provide for a policyholder bill of rights; to provide for the membership of the board of directors of the Property Insurance Association of Louisiana, the governing committee of the Louisiana Automobile Insurance Plan, and the Louisiana Property and Casualty Insurance Commission; and to provide for related matters.

**HOUSE BILL NO. 962— (Substitute for House Bill No. 528 by Representative Morrell)**

BY REPRESENTATIVES MORRELL, ANDERS, ARNOLD, BADON, BALDONE, BURRELL, DORSEY, GRAY, ELCIE GUILLORY, MICKEY GUILLORY, HEBERT, HUNTER, HUTTER, JACKSON, JEFFERSON, LAFLAUR, MARCHAND, PINAC, RICHMOND, ROMERO, GARY SMITH, JACK SMITH, AND WILLIAMS  
AN ACT

To enact R.S. 22:1430.12(D), relative to the Louisiana Citizens Property Insurance Corporation; to provide for the rates charged by the Louisiana Citizens Property Insurance Corporation; to provide that the corporation's rates shall be the higher of the actuarially sound rates or the rates equal to the highest of the top ten insurers with the greatest total direct written premium; to provide for the use of actuarially sound rates; to provide the commissioner of insurance the authority to determine if a competitive market exists; and to provide for related matters.

**HOUSE BILL NO. 966— (Substitute for House Bill No. 764 by Representative Heaton)**  
BY REPRESENTATIVES HEATON AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Article 561(A), relative to the abandonment of civil actions; to provide an exception for Hurricanes Katrina and Rita; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 26—**  
BY REPRESENTATIVES ARNOLD AND SCALISE  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to limit certain increases in millage rates; to provide for applicability; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 27—**  
BY REPRESENTATIVES ARNOLD, BADON, BURRELL, CURTIS, MONTGOMERY, ODINET, SCALISE, AND JANE SMITH  
AN ACT

To amend and reenact R.S. 47:1705(B), relative to ad valorem taxes; to limit the ability of taxing authorities to increase ad valorem tax millages; to provide for applicability; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 123—**  
BY REPRESENTATIVE KLECKLEY  
AN ACT

To enact R.S. 47:354.1, relative to the occupational license tax; to provide for a rate structure for certain gasoline and motor fuel sales; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 676—**  
BY REPRESENTATIVE SMILEY  
AN ACT

To amend and reenact R.S. 32:781(33), 783(F)(6) and (8), 784(A)(6), (7), and (8), 792(A), (B), (C), and (D), and 811(K)(1) and to enact R.S. 32:783(F)(9) and (10) and 811(L), relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide for definitions; to provide for commission's powers and duties; to provide for licensing of dealers of recreational products; to provide for licensing of used motor vehicle dealers and salespersons; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 726—**  
BY REPRESENTATIVE DOWNS  
AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv) and to repeal R.S. 38:2212(A)(1)(d)(iv), relative to public works performed by political subdivisions; to provide relative to the applicability of certain laws governing the advertising and letting of contracts to the repair of damage caused by Hurricane Katrina or Rita; and to provide for related matters.

The bill was read by title; lies over under the rules.

June 5, 2007

**HOUSE BILL NO. 795—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 51:3083, 3084(5), (9), (10), (11), and (13), 3085(B)(1)(b) and (2), 3087(A) and (B), 3091, 3093(B), (C)(3) and (5), and 3094, relative to tax credits; to provide relative to the Louisiana Community Development Financial Institution Act; to provide for additional tax credits; to provide for an extension of the Louisiana Community Development Financial Institution program; to provide for the definition and use of "qualified Louisiana business"; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 828—**

BY REPRESENTATIVE ALARIO  
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; to provide for an effective date; and to regulate the administration of said funds.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 873—**

BY REPRESENTATIVES BADON AND HUTTER  
AN ACT

To enact R.S. 48:756(A)(4), relative to distribution and dedication of state revenue; to provide for the distribution of monies from the Parish Transportation Fund and other state funds to the parish governing authorities; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 929—**

BY REPRESENTATIVE TRICHE  
AN ACT

To enact R.S. 47:6026, relative to tax credits; to provide for a refundable Louisiana income and corporation franchise tax credit for certain overpayments related to the inventory tax credit; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 953—**

BY REPRESENTATIVE ALARIO  
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2006-2007; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 960— (Substitute for House Bill No. 860 by Representative K. Carter)**

BY REPRESENTATIVES K. CARTER, ANDERS, BOWLER, FARRAR, FAUCHEUX, HARRIS, KLECKLEY, LORUSSO, MORRELL, SCALISE, GARY SMITH, TOOMY, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 22:1382(A)(3)(a)(iv), 1401, 1402, 1404, 1404.1, 1404.2, 1405(B)(2)(b), 1407, 1408, 1411, 1416, 1417(B)(introductory paragraph) and (2), 1422, 1430.5(A), 1430.11(D), 1430.14, 1441.7(C), 1441.10, 1441.21(D), and 2092.5.1(B), R.S. 36:681(C)(1), and R.S. 44:4(5)(a); to enact R.S. 22:15(C)(22), 1402.1, 1402.2, 1402.3, and 1455 and R.S. 36:696; and to repeal R.S. 22:15(C)(8), (E)(16), (F)(7), and (G)(7), 1401.1, 1405(B)(2)(c), 1406, 1410(B), 1418, and 1450.3 and R.S. 36:686(C)(1), relative to insurance rating; to abolish the Louisiana Insurance Rating Commission and to transfer its powers, duties, and functions to the office of property and casualty; to provide for a file and use system for insurance

rating; to provide for definitions; to provide relative to competitive and noncompetitive markets; to provide for rating standards and methods; to provide for the establishment of the office of consumer advocacy within the Department of Insurance; to provide for a policyholder bill of rights; to provide for the membership of the board of directors of the Property Insurance Association of Louisiana, the governing committee of the Louisiana Automobile Insurance Plan, and the Louisiana Property and Casualty Insurance Commission; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 962— (Substitute for House Bill No. 528 by Representative Morrell)**

BY REPRESENTATIVES MORRELL, ANDERS, ARNOLD, BADON, BALDONE, BURRELL, DORSEY, GRAY, ELCIE GUILLORY, MICKY GUILLORY, HEBERT, HUNTER, HUTTER, JACKSON, JEFFERSON, LAFLEUR, MARCHAND, PINAC, RICHMOND, ROMERO, GARY SMITH, JACK SMITH, AND WILLIAMS  
AN ACT

To enact R.S. 22:1430.12(D), relative to the Louisiana Citizens Property Insurance Corporation; to provide for the rates charged by the Louisiana Citizens Property Insurance Corporation; to provide that the corporation's rates shall be the higher of the actuarially sound rates or the rates equal to the highest of the top ten insurers with the greatest total direct written premium; to provide for the use of actuarially sound rates; to provide the commissioner of insurance the authority to determine if a competitive market exists; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 966— (Substitute for House Bill No. 764 by Representative Heaton)**

BY REPRESENTATIVES HEATON AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Article 561(A), relative to the abandonment of civil actions; to provide an exception for Hurricanes Katrina and Rita; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

June 4, 2007

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 170—**

BY REPRESENTATIVE WINSTON  
A CONCURRENT RESOLUTION

To commend John and Mirella "Mira" Spansel of Slidell, Louisiana, for their fortitude and courage in rising above breast cancer diagnoses.

**HOUSE CONCURRENT RESOLUTION NO. 172—**

BY REPRESENTATIVE GRAY  
A CONCURRENT RESOLUTION

To commend Conrad Lester Ardoin of Ville Platte and to express appreciation for the pride he brings to his family, friends, community, Evangeline Parish, the state of Louisiana, and the United States of America.

**HOUSE CONCURRENT RESOLUTION NO. 174—**

BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To create the Adult Abuse and Neglect Study Group, hereinafter referred to as the "study group", to study the existing laws on adult abuse and neglect and the need for laws to protect those who cannot adequately protect themselves; examine the structure, operation, and outcomes of the programs established to protect vulnerable adults from abuse and neglect in Louisiana; investigate existing jurisdictions; explore ways to maximize resources necessary to viably operate a program that is cost-effective and administratively efficient for the protection of vulnerable adults; and other related issues.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 170—**

BY REPRESENTATIVE WINSTON

**A CONCURRENT RESOLUTION**

To commend John and Mirella "Mira" Spansel of Slidell, Louisiana, for their fortitude and courage in rising above breast cancer diagnoses.

The resolution was read by title. Senator Quinn moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Fields	Marionneau
Adley	Fontenot	Michot
Barham	Gautreaux B	Mount
Broome	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Cassidy	Hollis	Quinn
Cheek	Jackson	Romero
Cravins	Jones	Smith
Dupre	Kostelka	Theunissen
Ellington	Malone	Ullo
Total - 30		

**NAYS**

Total - 0

**ABSENT**

Amedee	Chaisson	McPherson
Bajoie	Duplessis	Schedler
Boasso	Lentini	Shepherd
Total - 9		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 172—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To commend Conrad Lester Ardoin of Ville Platte and to express appreciation for the pride he brings to his family, friends, community, Evangeline Parish, the state of Louisiana, and the United States of America.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Fields	Michot
Adley	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Kostelka	Ullo
Dupre	Malone	
Ellington	Marionneau	
Total - 31		

**NAYS**

Total - 0

**ABSENT**

Amedee	Duplessis	Schedler
Bajoie	Lentini	Shepherd
Boasso	McPherson	
Total - 8		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 174—**

BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To create the Adult Abuse and Neglect Study Group, hereinafter referred to as the "study group", to study the existing laws on adult abuse and neglect and the need for laws to protect those who cannot adequately protect themselves; examine the structure, operation, and outcomes of the programs established to protect vulnerable adults from abuse and neglect in Louisiana; investigate existing jurisdictions; explore ways to maximize resources necessary to viably operate a program that is cost-effective and administratively efficient for the protection of vulnerable adults; and other related issues.

The resolution was read by title. Senator Smith moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Fields	Marionneau
Adley	Fontenot	Michot
Barham	Gautreaux B	Mount
Broome	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Cassidy	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	
Total - 32		

**NAYS**

Total - 0

June 5, 2007

ABSENT

Amedee	Duplessis	Shepherd
Bajoie	McPherson	
Boasso	Schedler	
Total - 7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of advancing to the order of

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 260— BY REPRESENTATIVE JACK SMITH A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to provide an exemption for certain jewelry; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 466— BY REPRESENTATIVE KENNARD AN ACT

To amend and reenact R.S. 6:1091(A) and to enact R.S. 6:1088(B), relative to requirements for licensure under the Residential Mortgage Lending Act; to provide for an applicant's physical location within the state; to provide for recordkeeping and retention requirements for licensees; to provide for an exception from the physical location requirement; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 612— BY REPRESENTATIVES ALARIO, SALTER, AND DORSEY AN ACT

To amend and reenact R.S. 39:100.21 and 100.26 and to repeal R.S. 39:100.31(C) and Section 6(C) of Act No. 642 of the 2006 Regular Session of the Legislature, relative to state funds; to provide relative to the continuation of the 2004 Overcollections Fund as a special fund in the state treasury; to provide for the allowable uses of monies in the FEMA Reimbursement Fund and the State Emergency Response Fund; to provide for effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 615— BY REPRESENTATIVES ALARIO, SALTER, AND DOERGE AN ACT

To amend and reenact R.S. 39:100.26, relative to state funds; to provide for the deposit of certain funds into the FEMA Reimbursement Fund and certain special treasury funds; to provide for the dedication of such monies for use and appropriation as specified in the FEMA Reimbursement Fund and certain special treasury funds; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 701— BY REPRESENTATIVE WILLIAMS AN ACT

To enact R.S. 6:1096(J), relative to the Residential Mortgage Lending Act; to provide for payment of interest accrued from an escrow account with regards to a residential mortgage loan transaction; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 757— BY REPRESENTATIVE SALTER AN ACT

To enact R.S. 47:301(3)(i)(ii)(aa)(I)(eee) and (bb)(III), relative to the sales and use tax; to include certain machinery and equipment used primarily to produce a news publication within the sales and use tax exclusion for manufacturing machinery and equipment; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 818— BY REPRESENTATIVE HEATON AND SENATOR MURRAY AN ACT

To amend and reenact R.S. 11:1386, relative to the judges' noncontributory plan; to provide with respect to cost-of-living adjustments for judges who did not opt to become members of the Louisiana State Employees' Retirement System and for surviving spouses of such judges; to provide the procedures for determining the amount of such adjustments; to provide for a two-year increase in benefits; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 920— BY REPRESENTATIVES SALTER, DORSEY, LANCASTER, ARNOLD, AND ALARIO AND SENATORS HINES, BAJOIE, JONES, FIELDS, AND HEITMEIER AN ACT

To appropriate funds for Fiscal Year 2007-2008 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 931— BY REPRESENTATIVES ALARIO, SALTER, GALLOT, DEWITT, CAZAYOUX, LAFLEUR, AND TOWNSEND AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 935— BY REPRESENTATIVE GALLOT AN ACT

To amend and reenact R.S. 47:301(10)(v) and (w), and (16)(d), 321(A), 337.10(H)(1), and 6014(E)(1)(a), to enact R.S. 47:301(14)(i) and (29), 301.1, 302(C), and 331(C), and to repeal

R.S. 47:301(14)(i), 302(C), and 331(C), relative to the taxation of telecommunication services; to provide for definitions; to provide for rules for sourcing of taxable telecommunication services and certain ancillary services; to provide for sourcing of taxable sales of certain prepaid calling services and prepaid wireless calling services; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

**HOUSE BILL NO. 938—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2007-2008; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 965— (Substitute for House Bill No. 553 by Representative Durand)**  
BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 36:259(J) and to enact R.S. 9:2798.5, relative to the Louisiana Emergency Response Network; to provide for a separate budget unit; to provide for limitation of liability; to provide for applicability; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**HOUSE BILL NO. 967— (Substitute for House Bill No. 856 by Representative Lorusso)**  
BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 19:14, relative to expropriation; to provide relative to the waiver and acquisition of certain property rights; to provide relative to actual possession of immovable property; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

**Rules Suspended**

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Resolutions on Second Reading, Subject to Call**

The following Senate Resolutions on second reading, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 15 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 15—**  
BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO  
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Ronnie Lee Sanders upon his death in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 32 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 32—**  
BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Jon Eric Bowman upon his death in combat in this nation's war against terrorism.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 33 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 33—**  
BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Myles C. Sebastien upon his death in combat in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 34 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 34—**  
BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private Mark William Graham upon his death from wounds suffered in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 35 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 35—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private Joshua Cain Burrows of Bossier City, who was killed in action in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 36 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 36—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army First Lieutenant Ashley Laine Henderson Huff upon her death in ground combat action in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 37 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 37—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant First Class Marcus V. Muralles upon his death in combat operations during Operation Enduring Freedom in Afghanistan.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 38 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 38—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family and loved ones of United States Army Sergeant First Class Terry O. P. Wallace upon his death in ground combat operations in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 39 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 39—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Brandon L. Teeters upon his death in combat in Iraq.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 42 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 42—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Matthew J. Vosbein upon his death in ground combat in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 48 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 48—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guardsman Staff Sergeant George Ray Draughn, Jr., upon his death in ground combat in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 49 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 49—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON,

MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Donald E. Champlin upon his death in ground combat action in support of Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 50 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 50—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Jacob G. McMillan upon his death in ground combat in Iraq.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 51 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 51—**

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Joseph Claude Dumas, Jr., upon his death in ground combat in Iraq.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 52 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 52—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Corporal Marcus A. Cain upon his death in combat in Iraq.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 57 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 57—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal John Edward Hale upon his death in ground combat operations in Iraq.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 58 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 58—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Dustin DeCol upon his death in the service of his country.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 64 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 64—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Navy Lieutenant Adam A. Dyer upon his death during a training mission off the California coast.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

**Called from the Calendar**

Senator Marionneaux asked that Senate Resolution No. 65 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 65—**

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Navy Ensign Van Andrew Wilson upon his death while in the service of his country.

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On motion of Senator Marionneaux, the resolution was read by title and adopted.

Called from the Calendar

Senator Marionneaux asked that Senate Resolution No. 66 be called from the Calendar at this time.

SENATE RESOLUTION NO. 66—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Coast Guardsman Jake Brian Harrison upon his death while in the active military service of his country.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Senate Resolutions on Second Reading

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 68—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the most sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Jonathan C. Schwall upon his death while in the military service of his country.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 69—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the most sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Richard L. Brown upon his death in the uniformed service of his country.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 70—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Johnathan Brian Chism upon his death in ground combat operations in this nation's War on Terror.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 72—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Jon Eric Bowman upon his death in combat in this nation's war against terrorism.

On motion of Senator Marionneaux, the resolution was read by title and withdrawn from the files of the Senate.

SENATE RESOLUTION NO. 73—

BY SENATORS MARIONNEAUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CASSIDY, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Cavalry Scout Jared Crouch upon his death in ground combat in Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by title and adopted.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Arthur J. "Art" Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 5, 2007

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 107—

BY SENATOR MARIONNEAUX AN ACT

To enact Civil Code Art. 2315.3, relative to damages; to provide for the award of certain exemplary damages; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

Reported without action.

HOUSE BILL NO. 151—

BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 13:2590(A)(22) and (B) and to enact R.S. 13:2590(A)(31), relative to fees a justice of the peace may demand and receive for filings and services in civil matters; to authorize an increase in fees for service of subpoena or subpoena duces tecum; to authorize a fee for notice of seizure in garnishment; to specify that the fees are for operational expenses of the ward constable; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 178—**

BY REPRESENTATIVES DOERGE AND KATZ  
AN ACT

To amend and reenact Children's Code Articles 437(A), 603(16.1), and 610(G) and to enact Children's Code Article 603(14.1.1), relative to the Children's Code; to provide for referral to mediation; to provide with respect to the definition of newborn; to add alcohol exposure to the definition of prenatal neglect; to provide for the duty of a physician to issue a report in certain instances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 210—**

BY REPRESENTATIVES FAUCHEUX, DARTEZ, GALLOT, ST. GERMAIN, TOOMY, AND WHITE  
AN ACT

To amend and reenact R.S. 13:782(A)(1), relative to the salary of the various clerks of district courts; to provide for the salary of the clerks of court based on parish population; to redefine the population categories; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 308—**

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact Code of Civil Procedure Article 2452(B), relative to judgment debtor examinations; to provide for proper venue in the parish in which the judgment was rendered; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 322—**

BY REPRESENTATIVE LAMBERT  
AN ACT

To amend and reenact R.S. 13:4207, relative to appeals; to require city court and district court judges to sign an order of appeal within specified delays; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 501—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To enact Code of Civil Procedure Article 74.2(F), relative to venue; to provide for the transfer of proceedings in certain child custody and support cases post-Hurricanes Katrina and Rita; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 636—**

BY REPRESENTATIVES WILLIAMS, TOOMY, AND RICHMOND  
AN ACT

To amend and reenact R.S. 40:41(B)(2), relative to the vital statistics law; to provide that upon written request a public administrator is entitled to disclosure of a confidential death certificate; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 643—**

BY REPRESENTATIVES ROMERO AND DURAND  
AN ACT

To amend and reenact R.S. 9:2793.3, 2793.4, 2793.5, and 2793.6, relative to civil liability of certain nonprofit organizations; to provide a limitation of liability for certain services rendered prior to the declaration of a storm; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 727—**

BY REPRESENTATIVES ALEXANDER, MORRELL, AND WALSWORTH  
AN ACT

To enact R.S. 9:2793.8, relative to civil liability; to provide a limitation of liability for the National Voluntary Organizations Active in Disaster; to provide an exception for willful and wanton misconduct; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 739—**

BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 9:5167 and R.S. 44:106(A), 109(A), and 110 and to enact R.S. 44:109.1, relative to the cancellation of mortgages and vendor's privileges; to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize certain persons to file cancellations of mortgages and vendor's privileges; to provide for the contents of the affidavit of cancellation; to provide for the liability of persons executing an affidavit of cancellation; to provide for the indemnification of persons relying on the affidavit of cancellation; to provide for the form attached to the affidavit of cancellation; to provide relative to licensed financial institutions executing certain acts; to provide a standard form for and mandatory acceptance of mortgage or privilege cancellations; to provide relative to the requisite knowledge of and liability for executing or filing a materially false or incorrect statement; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 751—**

BY REPRESENTATIVES HONEY AND GALLOT  
AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand petitioners to include second and third cousins; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 796—**

BY REPRESENTATIVE GRAY  
AN ACT

To amend and reenact R.S. 13:2575(C)(1) and 2576(A)(1), relative to administrative adjudication of certain ordinance violations; to provide for the enforcement of liens and privileges; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 846—**

BY REPRESENTATIVE BRUCE  
AN ACT

To amend and reenact R.S. 13:477(introductory paragraph) and (11), 621.11, and 700.3 and R.S. 16:51(A)(11), 262, 263, 264, and 265 and to enact R.S. 13:477(42), 621.42.1, 621.47, 700.4, and 996.65 and R.S. 16:51(A)(42), 921, 922, 923, 924, and 925, relative to the creation of a new judicial district out of the Eleventh Judicial District; to create the Forty-Second Judicial District Court; to provide that Sabine Parish shall comprise the Eleventh Judicial District; to provide that DeSoto Parish shall comprise the Forty-Second Judicial District; to provide for the transfer of cases; to provide for a judicial expense fund for the Forty-Second Judicial District; to provide for assistant district attorneys for the Eleventh and the Forty-Second Judicial Districts; to provide for salaries; to provide for law clerks; to provide for a referendum election in the parishes of DeSoto and Sabine on approving the split of the Eleventh Judicial District and the creation of the Forty-Second Judicial District; to provide for the office of a judge of the Forty-Second Judicial District, including term of office, election, division of court, and jurisdiction; to provide for the election of a district attorney for the Forty-Second Judicial District; to provide for the clerk of court for the Forty-Second Judicial District; to provide for the

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sheriff for the Forty-Second Judicial District; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 959— (Substitute for House Bill No. 128 by Representative McDonald)**  
BY REPRESENTATIVES MCDONALD AND THOMPSON  
AN ACT

To amend and reenact R.S. 13:2606, relative to justice of the peace courts in West Carroll Parish; to provide for the territorial jurisdiction of justice of the peace courts; to provide for the election of justices and constables of those courts; to provide for effectiveness; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 961— (Substitute for House Bill No. 404 by Representative Damico)**  
BY REPRESENTATIVES DAMICO AND SALTER  
AN ACT

To enact R.S. 9:5168, relative to cancellation of mortgages and privileges, to require the recorder of mortgages to cancel mortgages and vendor's privileges under certain circumstances; to authorize the filing of cancellations of mortgages and vendor's privileges; to authorize certain persons to execute an affidavit of cancellation; to provide for the contents of the affidavit of cancellation; to provide a limitation of liability for clerks of court and recorders of mortgages; to provide for the indemnification of persons relying on the affidavit of cancellation; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY B**

Senator Marionneau, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 5, 2007

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

**SENATE BILL NO. 190—**  
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:311(D)(2), relative to the Video Draw Poker Devices Control Law; to provide for the calculation of franchise payments; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 224—**  
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 4:724(B)(5), relative to Charitable Raffles, Bingo, and Keno Licensing Law; to provide relative to the requirements and restrictions concerning the operation and use of electronic video bingo machines; to restrict the display of certain features on the machines; and to provide for related matters.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 41—**

BY REPRESENTATIVES ST. GERMAIN, BURRELL, R. CARTER, FARRAR, FAUCHEUX, GREENE, ELBERT GUILLORY, LABRUZZO, M. POWELL, RICHMOND, TOOMY, AND WHITE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to research and promote Virtual Command Technology to improve police, emergency medical services (EMS), and fire protection.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 42—**

BY REPRESENTATIVES ST. GERMAIN, BURRELL, R. CARTER, FARRAR, FAUCHEUX, GREENE, ELBERT GUILLORY, LABRUZZO, M. POWELL, RICHMOND, TOOMY, AND WHITE

A CONCURRENT RESOLUTION

To urge and request state and local governments to research and implement Virtual Command Technology to improve emergency services.

Reported favorably.

**HOUSE BILL NO. 122—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 33:1448.1(B)(introductory paragraph), (D), and (E) and to enact R.S. 33:1448.1(B)(4), relative to the Bossier Parish Retired Employees Insurance Fund; to provide relative to eligible retired sheriffs and retired deputy sheriffs; to increase the total amount of principal and earnings in the Bossier Parish Retired Employees Insurance Fund; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 136—**

BY REPRESENTATIVES BRUCE AND WALSWORTH

AN ACT

To amend and reenact R.S. 15:283(E)(1) and 440.2(C) and Children's Code Articles 323(2)(a) and (b) and 324(B), relative to testimony of protected persons; to amend the definition of "protected person"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 547—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:304, relative to the Louisiana Video Draw Poker Devices Control Law; to increase the amount wagered on a game and the maximum amount of money won per game; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT M. MARIONNEAUX, JR.  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY C**

Senator Joel T. Chaisson, II, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 5, 2007

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

**SENATE BILL NO. 172—**  
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 15:572.8(A), (B), (C)(1), (C)(2), the introductory paragraph of (C)(3), (C)(3)(b), (C)(3)(c)(ii), (C)(4), (C)(5), (D), (E), (F), introductory paragraph of (G), (G)(1), (H), (I)(1), (I)(3), and introductory paragraph of (J), relative to compensation for wrongful conviction and imprisonment; to provide certain procedural requirements for persons seeking compensation for wrongful conviction and incarceration; to provide for venue and service of process; to provide for rules of procedure; to provide a maximum payment; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 108—**

BY REPRESENTATIVES RITCHIE, ANDERS, ANSARDI, ARNOLD, BADON, BOWLER, K. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, DAMICO, DANIEL, DOWNS, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GRAY, GREENE, ELCIE GUILLORY, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, LAFLEUR, LORUSSO, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MORRIS, MORRISH, M. POWELL, SALTER, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, WADDELL, WALSWORTH, WINSTON, AND WOOTON

AN ACT

To amend and reenact R.S. 14:102(7) and 102.1(C), to enact R.S. 14:102.23, and to repeal 14:102.1(D), relative to offenses affecting the public sensibility; to prohibit promoting or conducting a cockfight; to provide for definitions; to provide relative to cruelty to animals; to provide for exemptions; to provide for penalties; to provide for exceptions; to repeal provision of law providing that fowl are not considered animals for the purpose of the crime of cruelty to animals; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 213—**

BY REPRESENTATIVES JOHNS, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BURRELL, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GEYMAN, ELCIE GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, LORUSSO, MARTINY, MCDONALD, MORRELL, MORRIS, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, AND WINSTON

AN ACT

To amend and reenact R.S. 40:1238.1(B) and to enact R.S. 40:971(B)(1)(i) and 1238.1(C), relative to controlled dangerous substances; to provide penalties for obtaining a second or subsequent controlled dangerous substance without disclosing the fact of the existing prescription for a controlled dangerous substance to a health care practitioner; to create the crime of obtaining a second prescription for Carisoprodol without disclosure of first prescription to a health care practitioner; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 288—**

BY REPRESENTATIVE ODINET

AN ACT

To enact R.S. 40:2266.1.1, relative to the Acadiana Criminalistics Laboratory Commission, the North Louisiana Criminalistics Laboratory Commission, the Southeast Louisiana Regional Criminalistics Laboratory Commission, and any other criminalistics laboratory commission; to provide for the collection of fees for certain criminal violations; to provide for a fee schedule for criminal violations; to provide for collection of the fees; to provide for the use of revenue derived from the fees; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 350—**

BY REPRESENTATIVE GEYMAN

AN ACT

To amend and reenact R.S. 40:2531(B)(7), relative to rights of municipal and campus police during investigations; to provide for a time limit during which an investigation must begin; to provide when an investigation shall be considered complete; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 436—**

BY REPRESENTATIVES MARTINY, ALARIO, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DORSEY, DOVE, DOWNS, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, GREENE, ELBERT GUILLORY, ELCIE GUILLORY, HARRIS, HEATON, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, LANCASTER, LORUSSO, MARCHAND, MONTGOMERY, MORRELL, MORRIS, MORRISH, PIERRE, PITRE, T. POWELL, QUEZAIRE, RICHMOND, ROMERO, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WHITE, WILLIAMS, WINSTON, AND WOOTON AND SENATORS CHAISSON, CRAVINS, JACKSON, MICHOT, MURRAY, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 9:2800.16, R.S. 15:85.1(A)(2)(b), 146 through 149.1, 150, 151, 1202(A)(13), and 1424(B)(3), R.S. 24:513(A)(3), 515.1(A), (B)(introductory paragraph), and (D), and 517.1(F)(1) and (2), R.S. 33:1342(1), R.S. 36:4(D) and 801.1(A), R.S. 39:1302(1)(f), R.S. 46:236.5(B)(2), Children's Code Articles 321(C) and (D), 607(A), 608(B), 740(B), and 809(C) and (E), and Code of Criminal Procedure Articles 944(A), 948(A), and 953, to enact R.S. 15:141 through 143, 149.2, and 152 through 184, to repeal R.S. 15:144, 145, 145.1, and 151.2, and to direct the Louisiana State Law Institute to redesignate certain statutory provisions, all relative to indigent defender services; to enact the Louisiana Public Defender Act; to create the Louisiana Public Defender Board; to provide for the powers and duties of the board; to provide for definitions; to provide for legislative findings; to provide for the authority of the board; to provide for rulemaking; to provide for the hiring of executive staff positions for the board; to provide for job descriptions and qualifications for executive staff; to provide for the establishment of public defender service regions; to provide for the powers and duties of regional directors; to provide for the powers and duties of district public defenders; to provide for the filling of vacancies in the office of district public defenders; to provide for the selection process for employing regional directors; to create the Louisiana Public Defender Fund; to provide for the composition of the fund, administration of the fund, and use of monies from the fund; to provide for the adoption of mandatory standards and guidelines of practice in the delivery of indigent defender services; to provide for qualification standards and mandatory training for attorneys delivering public defender services; to provide for disciplinary actions taken by the board for the failure to comply with mandatory standards and guidelines; to provide for a due process hearing for disciplinary action taken against a regional director or district public defender; to provide for the transfer of the powers, duties, authority, and obligations of the Indigent Defense Assistance Board to the Louisiana Public Defender Board; to provide for the transfer of the duties and functions relating to the delivery of indigent defender services from judicial district indigent defender boards to the judicial district indigent defender fund under the management of the district public defenders; to provide that no right or cause of action is created by the provisions hereof; and to provide for related matters.

Reported with amendments.

June 5, 2007

**HOUSE BILL NO. 519—**  
BY REPRESENTATIVES ELCIE GUILLORY AND GRAY  
AN ACT

To enact R.S. 14:35.3(B)(3) and (L), relative to domestic abuse battery; to provide for criminal penalties for domestic abuse battery when the battery involves strangulation; to provide for definitions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 610—**  
BY REPRESENTATIVE ODINET  
AN ACT

To amend and reenact R.S. 14:223, relative to unauthorized sound reproductions; to provide for the applicability of statutory provisions; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOEL T. CHAISSON, II  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE BILL NO. 2—**  
BY SENATOR FONTENOT  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(D)(3)(a) and (c) of the Constitution of Louisiana, relative to the expenditure of state funds; to prohibit the reduction of state salary supplements for full-time law enforcement and fire protection officers; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 70—**  
BY SENATOR MICHOT  
AN ACT

To amend and reenact R.S. 47:6023(B)(5) and (6) and (C)(1), relative to income tax; to extend the sound recording investor tax credit; to provide for the amount of investments allowed as credits; to eliminate the need for certain approvals; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 70 by Senator Michot

**AMENDMENT NO. 1**  
On page 1, line 3, after "provide for" delete the remainder of the line, and delete line 4, and insert: "certain time limits for approvals and certain reports; to provide for prohibition of additional tax benefits for certain expenditures; and to"

**AMENDMENT NO. 2**  
On page 2, line 3, after "Development" insert: ", the commissioner of administration, and the office of governor within one hundred eighty days. If the production or infrastructure project is not approved within one hundred and eighty days, the Department of Economic Development shall provide a written report to the Senate Committee on Revenue and Fiscal Affairs and the House

**Committee on Ways and Means which states the reason that the production has not been approved"**

**AMENDMENT NO. 3**  
On page 2, delete line 12, and on line 13, delete "was granted under R.S. 47:6007." and insert: "**no credit shall be allowed under this Section for any expenditures for which a taxpayer receives a credit, rebate, or other tax incentive granted by the state under any other provision of law.**"

**AMENDMENT NO. 4**  
On page 2, delete lines 16 through 18

**AMENDMENT NO. 5**  
On page 2, line 19, change "**(i)**" to "(a)"

**AMENDMENT NO. 6**  
On page 2, line 22, change "**(ii)**" to "(b)"

**AMENDMENT NO. 7**  
On page 2, line 25, change "**(iii)**" to "(c)"

**AMENDMENT NO. 8**  
On page 2, delete lines 28 and 29, and on page 3, delete lines 1 and 2

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 96—**  
BY SENATOR AMEDEE AND REPRESENTATIVE LAMBERT  
AN ACT

To amend and reenact R.S. 11:416(A)(2) and 441.1(G), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership; to provide for reemployment of retirees; to provide for options upon such reemployment; to allow reemployment of certain persons who retired pursuant to early retirement provisions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title and passed to a third reading.

**SENATE BILL NO. 98—**  
BY SENATORS SCHEDLER, BAJOEIE, CHAISSON, CHEEK, N. GAUTREAUX, JACKSON, MCPHERSON, FIELDS, FONTENOT, B. GAUTREAUX, HEITMEIER, JONES, MOUNT AND ULLO  
AN ACT

To enact Subpart N of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.42, relative to special funds; to create the New Opportunities Waiver Fund as a special fund in the state treasury; to provide for the dedication of certain revenues and for the deposit of and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 98 by Senator Schedler

**AMENDMENT NO. 1**  
On page 2, line 6, change "**deposited in and credited to the state**" to "**credited to this fund.**"

**AMENDMENT NO. 2**  
On page 2, line 7, delete "**general fund.**"

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

**SENATE BILL NO. 108—**

BY SENATOR CHEEK AND REPRESENTATIVES BRUCE, BURNS,  
MONTGOMERY, SCHNEIDER AND WINSTON  
AN ACT

To amend and reenact R.S. 47:1003(5)(introductory paragraph) and (11)(b) and to enact R.S. 47:1003(5)(e), relative to the public utilities tax; to exempt household goods carriers from the tax; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 124—**

BY SENATOR BROOME  
AN ACT

To enact Subpart B-37 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.731 through 130.737 and R.S. 47:6026, relative to community economic development entities and tax credits relating to these entities; to provide for community development corporations and community development financial institutions; to provide definitions; to provide for the duties and responsibilities of the Department of Economic Development relative to such entities; to provide for the establishment of criteria for such entities; to provide for community economic development tax credits; to provide for the expiration of such credits; to provide for audit and performance review procedures for such entities; to provide for the expiration of such provisions; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Mount, the bill was read by title and passed to a third reading.

**SENATE BILL NO. 146—**

BY SENATORS DUPRE, B. GAUTREUX, HOLLIS, MICHOT,  
ELLINGTON, MCPHERSON AND ULLO AND REPRESENTATIVES  
BALDONE, DOVE, KENNARD, PITRE AND QUEZAIRE  
AN ACT

To enact Subpart N of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.51, relative to the creation and establishment of the Windfall Highway, Infrastructure, and Protection Fund; to provide for the dedication of money in the fund to certain uses; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 146 by Senator Dupre

**AMENDMENT NO. 1**

On page 1, line 14, change "**After**" to "**(a) For the fiscal year beginning July 1, 2008, after**"

**AMENDMENT NO. 2**

On page 1, at the end of line 16, change "**fifty**" to "**twenty-five**"

**AMENDMENT NO. 3**

On page 1, line 17, change "**each**" to "**the**"

**AMENDMENT NO. 4**

On page 2, line 2, after "**Section 10.3**" insert "**of the Constitution of Louisiana**"

**AMENDMENT NO. 5**

On page 2, between lines 7 and 8, insert the following:  
"**(b) For each fiscal year beginning July 1, 2009 and thereafter, after compliance with the requirements of Article VII, Section 10.3 of the Constitution of Louisiana relative to the Budget Stabilization Fund and prior to any money being placed into the general fund or any other fund, fifty percent of all**

**mineral revenues received in each fiscal year by the state in excess of the base, as those terms are defined and limited in Paragraph (A)(2) of Section 10.3 of the Constitution of Louisiana, and excluding revenues attributable to mineral production activity or leasing activity on the Outer Continental Shelf, shall be credited by the treasurer to the Windfall Highway, Infrastructure, and Protection Fund. The money in the fund shall be appropriated by the legislature to be used solely as provided for in Subsection B of this Section.**"

**AMENDMENT NO. 6**

On page 2, line 16, change "**Sixty**" to "**Until adjusted pursuant to Subparagraph (c) of this Paragraph, seventy**"

**AMENDMENT NO. 7**

On page 2, line 23, change "**The**" to "**Until adjusted pursuant to this Paragraph, the**"

**AMENDMENT NO. 8**

On page 2, between lines 26 and 27, insert the following:

"**(iii) The department shall expend a minimum of five percent of the amount appropriated to it pursuant to this Subsection for non-federal matching projects for state highways, roads, or bridges which are included in the priority list of projects pursuant to the final highway construction priority program as provided by R.S. 48:231.**

"**(iv) The department shall expend five percent of the amount appropriated to it pursuant to this Subsection for projects for the repair of dams, levees, or spillways for state-owned freshwater lakes and reservoirs.**"

**AMENDMENT NO. 9**

On page 3, between lines 1 and 2, insert the following:

"**(c) Commencing with the fiscal year beginning July 1, 2015, the percentage of monies disbursed pursuant to Subparagraph (a) of this Paragraph shall be eighty percent of the monies, and commencing with the fiscal year beginning July 1, 2017, the percentage of monies disbursed pursuant to Subparagraph (a) of this Paragraph shall be ninety percent of the monies.**"

**AMENDMENT NO. 10**

On page 3, line 2, change "**Forty**" to "**Until adjusted pursuant to Subparagraph (c) of this Paragraph, thirty**"

**AMENDMENT NO. 11**

On page 3, line 3, between "**the**" and "**construction**" insert "**non-federal match of**"

**AMENDMENT NO. 12**

On page 3, line 6, after "**plan**" and before the period "**.**" insert "**and authorized by the United States Congress through a Water Resources Development Act**"

**AMENDMENT NO. 13**

On page 3, between lines 11 and 12, insert the following:

"**(c) Commencing with the fiscal year beginning July 1, 2015, the percentage of monies disbursed pursuant to Subparagraph (a) of this Paragraph shall be twenty percent of the monies, and commencing with the fiscal year beginning July 1, 2017, the percentage of monies disbursed pursuant to Subparagraph (a) of this Paragraph shall be ten percent of the monies.**"

**AMENDMENT NO. 14**

On page 4, line 3, after "July 1," delete the remainder of the line, delete lines 4 and 5 in their entirety, and add "2008."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

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SENATE BILL NO. 174—  
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 39:101(B)(1)(a) and (c) and (F)(1), 102(C), 103(A)(1) and (B)(1), 111, 112, 113, 115, 121, 122(B)(1), 124, and 125, relative to capital outlay; to provide relative to the development, enactment, and execution; and to provide for related matters.

Reported by substitute by the Committee on Revenue and Fiscal Affairs. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 174 by  
Senator Adley)

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 39:101(A)(1) and (B)(1)(a), (c), and (d) and (F)(1), 102(C), 103(A)(1) and (B)(1), 104(B), 111, 112, 113, 115, 121, 122(B)(1), 124, and 125, to enact R.S. 39:101(F)(3) and (G), and to repeal R.S. 39:105, relative to capital outlay; to provide relative to the priority and funding of projects to be included in the capital outlay bill; to provide relative to the development, enactment, and execution of the capital outlay process; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:101(A)(1) and (B)(1)(a), (c), and (d) and (F)(1), 102(C), 103(A)(1) and (B)(1), 104(B), 111, 112, 113, 115, 121, 122(B)(1), 124, and 125 are hereby amended and reenacted and R.S. 39:101(F)(3) and (G) are hereby enacted to read as follows: §101. Capital outlay budget request; feasibility studies

A.(1) Except as provided in Paragraph (2) of this Subsection, no later than the first day of November each year, the head of each budget unit shall present to the office of facility planning and control section of the division of administration a request for all expenditures for capital projects falling within the definition contained in R.S. 39:2(9) on forms provided by the office. A copy of the request shall also be provided by the head of each budget unit to the Legislative Fiscal Office, the Joint Legislative Capital Outlay Committee, the House Committee on Appropriations, the House Committee on Ways and Means, the Senate Committee on Finance, and the Senate Committee on Revenue and Fiscal Affairs. Such annual requests shall contain the information necessary for and constitute the feasibility study required pursuant to Article VII, Section 11(C) of the Constitution of Louisiana and shall include projects proposed to be funded within the next five years.

B.(1)(a) All officials of political subdivisions, ports, levee districts, and other non-state entities shall submit their proposed capital projects through the senator and representative in whose district the proposed capital project will be located on forms provided by the office of facility planning and control. Each legislator shall forward the original request to the office facility planning and control section of the division of administration, and a copy of the original request to the Legislative Fiscal Office, the Joint Legislative Committee on Capital Outlay, the House Committee on Appropriations, the House Committee on Ways and Means, the Senate Committee on Finance, and the Senate Committee on Revenue and Fiscal Affairs, with his recommendation for approval or disapproval or without recommendations.

(c) Such requests shall be submitted to the office of facility planning and control section no later than the first day of November of each year.

(d)(i) Except for projects subject to Subsection G of this Section, any form for submission together with the legislative endorsement and other supporting information and documents for such projects shall contain and constitute the feasibility study required by Article VII, Section 11(C) of the Constitution of Louisiana.

(ii) For projects subject to Subsection G of this Section, any form for submission together with the legislative endorsement and other supporting information and documents for such projects shall contain the information necessary for the feasibility

study required by Article VII, Section 11(C) of the Constitution of Louisiana.

F.(1) The office of facility planning and control section shall assign a project number to each project for which a budget request is received by that section office. It shall also assign a project number to projects included in the enrolled version of the capital outlay bill for which a project number has not been previously assigned.

(3) The office of facility planning and control shall classify each requested project according to the following categories to facilitate a comparative analysis of similar projects:

(a) Community Investment - cultural facilities, parks, museums, and recreational facilities.

(b) Culture, Recreation and Tourism - state parks and museums.

(c) Economic Development/Infrastructure - jobs creation, roads, water, and sewerage.

(d) Disaster Recovery - shelters and disaster damage repairs.

(e) Education - higher education, vocational-technical training, post-secondary education.

(f) Health Care - hospitals, clinics, and equipment, rehabilitation facilities, and mental health development facilities.

(g) Public Works - flood control and water resources.

(h) Statewide Programs - roofing, asbestos, mold, ADA, and major repairs.

(i) Other - municipal facilities and public works buildings.

G.(1) In addition to feasibility study requirements set forth elsewhere in this Part, each request for expenditure of funds for a capital project submitted by the head of a budget unit and each such request submitted by an official of a political subdivision, port, levee district, or other non-state entity requiring an estimated expenditure of three million dollars or more shall contain such additional information as required by rules adopted by the office of facility planning and control and approved by the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs.

§102. Capital outlay budget request contents

C. A detailed project description and justification shall be prepared in accordance with instructions and procedures published by the division of administration. Such instructions and procedures shall be published in the State Register state register at least thirty days prior to the effective date thereof.

§103. Standards for capital projects and evaluations

A.(1) The office of facility planning and control section of the division of administration shall establish standards for capital projects which shall include but not be limited to criteria of requirements for:

- (a) Allocation of space;
- (b) Design and construction according to anticipated use;
- (c) Determination of the economic feasibility of remodeling buildings, purchasing older buildings, or leasing space; and
- (d) Utilization or disposition of buildings being replaced.

B.(1) Except as provided in Paragraph (2) of this Subsection the office of facility planning and control section shall timely analyze and evaluate requested capital projects including compliance with the provisions of R.S. 39:101 and 102, the standards required by Subsection A and long-range policies and goals established by the legislature and the governor.

§104. Capital outlay budget preparation

B. The budget shall include a list of projects requested to be undertaken within the time period, projects recommended by the division of administration to be undertaken within the time period; and the projected expenditures for each project; and the reasons for rejection of any requested project.

§111. Capital outlay budget submission

Not later than the eighth day of each regular session, the governor shall submit to the legislature his capital outlay budget, the proposed capital outlay bill implementing the first year of the

five-year program and including the remaining four years of the five-year capital outlay program of state projects; and the bond authorization bill for the sale of bonds to fund projects included in the bond portion of the capital outlay bill, ~~and the concurrent resolution for the adoption of the remaining four years of the five-year capital outlay program.~~

§112. Capital Outlay Act ~~and resolution~~

A. ~~(A)~~ The legislature shall enact into law a capital outlay bill which shall incorporate the first year of the five-year capital outlay program and the proposed capital outlay program of state projects for the remaining four years of the five-year capital outlay program as provided in Article VII, Section 11 ~~(B)~~ (C) of the Constitution of Louisiana. The capital outlay act shall include appropriation of funds from specified sources, including proceeds of bonds, for capital projects to be expended during the next fiscal year.

~~(B)~~ All projects included within any capital outlay act, under penalty of nullity, shall have been proposed, reviewed, and evaluated in accordance with the requisites contained in Subpart A.

~~(C)~~ Capital outlay budget requests submitted after November first may be included within the Capital Outlay Act if the capital outlay budget request meets all of the applicable requirements as provided in R.S. 39:101 and 102 except for time of submission and if either of the following conditions has been met:

~~(1)(a)~~ The project is an economic development project recommended in writing by the secretary of the Department of Economic Development or is an emergency project recommended in writing by the commissioner of administration.

~~(b)~~ For purposes of this Section, "economic development" means the following:

~~(i)~~ Improvements on public or government owned property for the purposes of attracting or retaining a specific new or existing manufacturing or business operation that benefits Louisiana.

~~(ii)~~ Facilities or improvements on public or government owned property that generate new, permanent employment or which help retain existing employment.

~~(iii)~~ Facilities or infrastructure improvements on public or government owned property necessary for the manufacturing plant or business to operate.

~~(c)~~ For purposes of this Subparagraph, "emergency" means essential to alleviate conditions that are hazardous to life, health or property, and court mandates.

~~(2)~~ The project has been approved by the Joint Legislative Capital Outlay Committee; however, no action to approve a project may be taken by the committee after the last day for introduction of a matter intended to have the effect of law by either house of the legislature.

~~(D)~~ Any project subject to R.S. 39:101(G) that is deemed not feasible after evaluation of the feasibility study required pursuant to Article VII, Section 11(C) of the Constitution of Louisiana shall not be included with the Capital Outlay Act. The office of facility planning and control section shall submit a report to the Joint Legislative Capital Outlay Committee, the House Committee on Appropriations, the House Committee on Ways and Means, the Senate Committee on Finance, and the Senate Committee on Revenue and Fiscal Affairs detailing its findings and evaluation of any project deemed not feasible. Such report shall be submitted no later than twenty days after the determination that the project is deemed not feasible.

**E. The Capital Outlay Act shall contain only four priorities:**

**(1) Priority 1 general obligation bond funding shall be for completion of plans and specifications, land acquisition, site preparation, or for construction of projects that will require the sale of bonds or extension of lines of credit by the State Bond Commission during the fiscal year. Priority 1 includes:**

**(a) Funding for projects and amounts which were previously authorized by the Capital Outlay Act of the preceding year and which were granted cash lines of credit by the State Bond Commission.**

**(b) Funding for the reauthorization of the portion of the outstanding previous fiscal year Priority 4 Non-Cash lines of credit for projects which will require cash expenditures in the fiscal year and therefore must be converted to cash lines of credit in the fiscal year.**

**(2) Priority 2 general obligation bond projects are for the initiation or completion of plans and specifications, land acquisition, site preparation, or for construction which will begin in the fiscal year and will require the sale of bonds or the granting of lines of credit by the State Bond Commission during the fiscal year. The projects included in this Priority shall be limited to the amount of the estimated line of credit capacity available after Priority 1 projects have been satisfied, as identified by the office when the bill is filed in the legislature. Of the projects included in this priority, not more than twenty percent of the total amount available shall consist of non-state projects added to the bill by the legislature of which not more than one-half of the amount shall have been included by the House of Representatives and not more than one-half of the amount shall have been included by the Senate. Any project in this Priority 2 shall be included on the agenda of the State Bond Commission for receipt of a line of credit.**

**(3) Priority 3 general obligation bond projects are for the initiation or completion of plans and specifications, land acquisition, site preparation, or for construction which will begin in the fiscal year and will require the sale of bonds or the granting of lines of credit by the State Bond Commission during the fiscal year, after Priority 2 projects have been satisfied. The projects included in this Priority shall not exceed forty percent of the amount of the estimated line of credit capacity available after Priority 1 projects have been satisfied. Of the projects included in this priority, not more than twenty percent of the amount available under this priority shall consist of non-state projects added to the bill by the legislature of which not more than one-half of the amount shall have been included by the House of Representatives and not more than one-half of the amount shall have been included by the Senate.**

**(4) Priority 4 general obligation bond funding shall be for funding the portion of construction contracts which will not require cash expenditures during the fiscal year. These funds, when combined with previously sold bonds or with higher priority bonds on lines of credit, or with funds appropriated from other sources, will provide sufficient appropriated funds to award contracts. Non-cash lines of credit granted by the State Bond Commission shall be required prior to the award of these contracts.**

**F. The Capital Outlay Act shall also contain the proposed capital outlay program of state projects for the remaining four years of the five-year capital outlay program which will require general bond funding for the preparation and completion of plans and specifications, land acquisition, site preparation, or for construction of projects which will begin in succeeding fiscal years and it is anticipated will require the sale of bonds or extension of lines of credit in the succeeding fiscal years of the five-year capital outlay program.**

§113. Appropriations

A. All funds from whatever the source for state projects approved under the provisions of this Part shall be appropriated to the office of facility planning and control section ~~of the division of administration~~. This requirement shall not apply to appropriations made to the Department of Transportation and Development for highway or public works projects, the Department of Military Affairs, or the legislature.

B. All of the funds appropriated to state port commissions or districts, to authorities created by the legislature, to political subdivisions of the state, or to local governing authorities shall be administered by the office of facility planning and control section ~~of the division of administration~~ under cooperative endeavor agreements.

\* \* \*

§115. Notice requirements

A. The office of facility planning and control section shall send notice to all nonstate entities of the need to resubmit a capital outlay budget request for projects that do not receive a line of credit for the total amount of bond proceeds authorized in the Capital Outlay Act for that fiscal year. The notice shall list all of the nonstate entity's projects which have not received lines of credit prior to September fifteenth of the year for which notice is sent to the nonstate entity.

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B. The office of facility planning and control section shall also send a notice of the need to resubmit a capital outlay budget request to each state representative and state senator who has any project in his geographic area that did not receive a line of credit for the total amount of bond proceeds authorized in the Capital Outlay Act for that year. The notice shall list all of the projects in the representative's or senator's geographic area which have not received lines of credit prior to September fifteenth of the year for which notice is sent to the representative or senator.

C. All notices required under this Section shall be sent by the office of facility planning and control section between September fifteenth and October fifteenth of each year.

§121. Division of administration powers, duties, and functions

The division of administration in accordance with the provisions of R.S. 39:1410 in order to exercise supervision over the expenditure of funds and the construction projects, shall specifically:

(1) Have the authority to administer and enforce the provisions of the capital outlay budget adopted by the legislature;

(2) Formulate necessary rules, regulations, and forms for proper enforcement of the capital outlay budget;

(3) Expend the remaining funds for the construction of buildings, structures, and other projects, wherever needed, including the construction, enlargement, improvement, repair, remodeling, furnishing, or equipping of public buildings, structures, facilities, and other physical improvements at the charitable, correctional, penal, and other institutions of the state of Louisiana, and for the development, improvement, and expansion of state parks and recreational facilities of the state of Louisiana, including surveys, plans, and specifications and acquisition of any land required to carry out the purpose of existing law with the approval of a majority of the elected members of both houses of the legislature;

(4) Supervise construction, approve estimates, and select and employ engineers, architects, and other personnel necessary in connection with the administration of contracts for projects;

(5) Administer all contracts and agreements previously executed by the Capital Construction and Improvement Commission, or by the State Bond Commission, as its successor;

(6) Enter into and execute any contracts that the State Bond Commission was authorized to enter into and execute as successor to the Capital Construction and Improvement Commission; and,

(7) Schedule the funding of projects in the event that there are more projects ready for funding than there are funds available at that time from the proceeds of the sale of bonds if such bonds are not sold at one time.

§122. Commencement of work

B.(1) Ports, levee districts, and other non-state entities shall wait until there is a fully executed cooperative endeavor agreement and final approval has been given by the office of facility planning and control section of the division of administration, the Department of Transportation and Development, or the state treasurer, whichever is applicable, before entering into contracts obligating state funds.

§124. Periodic inspections

The office of facility planning and control section shall make periodic inspections at all stages of construction of any facility constructed pursuant to this Part and shall make detailed reports which shall be made available to the legislature and to the public. Such inspections shall include but not be limited to the close technical on-site examination of the materials, structure, and equipment and surveillance of the workmanship and methods used to insure reasonably that the project is accomplished in compliance with information given by the contract documents and good construction practices.

§125. Acceptance of project; guarantee period

A. The office of facility planning and control section shall be responsible for directing final payment for work done on each project. However, if upon final inspection of any project it shall be found that the plans, specifications, contract, or change orders for the project shall not have been fully complied with, the office of facility planning and control section shall, until such compliance shall have been effected or adjustments satisfactory to it shall have been made, refuse to direct such payment.

B. Upon completion of the project the office of facility planning and control section shall release it to the agency. The office of facility planning and control section shall be responsible for making an inspection of the project prior to the expiration of the guarantee period to observe any defects which may appear within one year after completion of the contract. The office of facility planning and control section shall give prompt written notice to the contractor of defects which are due to faulty materials and workmanship.

Section 2. R.S. 39:105 is hereby repealed.

On motion of Senator Mount, the committee substitute bill was adopted and becomes Senate Bill No. 365 by Senator Adley, substitute for Senate Bill No. 174 by Senator Adley.

SENATE BILL NO. 365— (Substitute of Senate Bill No. 174 by Senator Adley)

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 39:101(A)(1) and (B)(1)(a), (c), and (d) and (F)(1), 102(C), 103(A)(1) and (B)(1), 104(B), 111, 112, 113, 115, 121, 122(B)(1), 124, and 125, to enact R.S. 39:101(F)(3) and (G), and to repeal R.S. 39:105, relative to capital outlay; to provide relative to the priority and funding of projects to be included in the capital outlay bill; to provide relative to the development, enactment, and execution of the capital outlay process; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 211—

BY SENATORS MOUNT, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 47:6025(A)(3), relative to the tax credit for assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for the claiming of the credit; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 213—

BY SENATOR BAJOIE

AN ACT

To enact R.S. 47:305.56, relative to economic development; to establish the hurricanes Katrina and Rita Recovery Zone; to provide that the state sales and use tax will not apply to manufacturing machinery and equipment purchased, leased, or rented or repaired by manufacturers located in the zone; to eliminate the corporation franchise tax for certain businesses located within the zone; to eliminate the state corporate income taxes for certain businesses located within the zone; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 213 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 8, after "Program" insert: "or is located in a parish with a population between forty-three thousand five hundred and forty-six thousand five hundred according to the most recent federal decennial census"

AMENDMENT NO. 2

On page 3, line 5, after "Program" insert: ", or is located in a parish with a population between forty-three thousand five hundred and forty-six thousand five hundred according to the most recent federal decennial census,"

AMENDMENT NO. 3

On page 3, line 15, after "**Program**" insert: "**, or is located in a parish with a population between forty-three thousand five hundred and forty-six thousand five hundred according to the most recent federal decennial census.**"

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 217—**  
BY SENATOR MURRAY

## AN ACT

To enact R.S. 33:9038.59, relative to cooperative economic development; to create the New Orleans City Park Taxing District as a special taxing and tax increment financing district in the parish of Orleans; to provide for the boundaries of the district; to provide for the governance of the district; to provide for the authority, powers, duties, and function of the governing body to levy and collect taxes within the district; to engage in tax increment financing; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 217 by Senator Murray

AMENDMENT NO. 1

On page 4, line 2, change "**earlier**" to "**later**"

AMENDMENT NO. 2

On page 4, line 4, after "**interest**" insert "**or the date the district determines that any economic development special trust fund which may be created by the district shall no longer be funded**"

AMENDMENT NO. 3

On page 4, line 8, after "**financing**" insert "**, including in particular the provisions of R.S. 33:9038.34(0)**"

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 251—**  
BY SENATOR ADLEY

## AN ACT

To enact R.S. 47:6026, relative to state sales tax; to provide a credit against such tax for certain investments; to provide for refunds; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 251 by Senator Adley

AMENDMENT NO. 1

On page 2, delete lines 1 through 3, and insert the following:  
**"(1) "Eligible business" means wood product manufacturers with the following North American Industry Classification System (NAICS) Codes, as classified in 2006: 113110, 321113, 321114, 321211, 321212, 321213, 321214, 321219, 321912, 321920, and 321999; and paper products manufacturers with the following North American Industry Classification System (NAICS) Codes, as classified in 2006: 322110, 322121, 322122, 322130, 322211, 322212, 322213, 322214, 322215, 322221, 322222, 322223, 322224, 322225, 322226, 322231, 322232, 322233, 322291, and 322299."**

AMENDMENT NO. 2

On page 2, delete line 13, and on line 14, delete "**investment for the prior calendar year**" and insert: "**G. By July thirty-first of the calendar year following the calendar year in which qualifying investments are made, or by the last day of the sixth month following receipt by the secretary of the certification required by Subsection (D) of this Section if such certification is not timely filed**"

AMENDMENT NO. 3

On page 2, line 19, change "**two months**" to "**six months**"

AMENDMENT NO. 4

On page 4, between lines 8 and 9, insert the following:

**"(5) As provided by R.S. 47:1621(E), the secretary may recover any refunded or credited amount determined not to be an overpayment through any collection remedy authorized by R.S. 47:1561 within two years from December thirty-first of the year in which the refund was paid or credit was applied."**

AMENDMENT NO. 5

On page 4, delete lines 9 through 11, and insert:

**"G. No credit shall be allowed under this Section for any expenditures for which a taxpayer receives a credit, rebate, or other tax incentive granted by the state under any other provision of law."**

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 292—**

BY SENATOR MICHOT AND REPRESENTATIVES ALARIO AND TOWNSEND AND SENATORS BARHAM, CRAVINS AND N. GAUTREAUX AND REPRESENTATIVES ALEXANDER, HEBERT, MONTGOMERY, PIERRE, ROBIDEAUX, TRAHAN AND WALSWORTH  
AN ACT

To amend and reenact R.S. 47:3204(B)(1), relative to contracts of tax exemption with the Board of Commerce and Industry; to remove the time limitation for the number of years the exemption is allowed; to provide for subsequent renewals of a contract; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 292 by Senator Michot

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 47:3204(B)(1)" to "R.S. 47:3204(B)(1) and 4302(B)"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 47:3204(B)(1) is" to "R.S. 47:3204(B)(1) and 4302(B) are"

AMENDMENT NO. 3

On page 1, line 16, after "**(b)(i)**" delete the remainder of the line and on line 17 change "**subsequent**" to "**Subsequent**"

AMENDMENT NO. 4

On page 2, between lines 14 and 15 insert the following:

**"(iii) In addition to the requirements of R.S. 47:3203, the Board of Commerce and Industry shall forward its recommendations, together with the proposed contract and all supporting documents, to the Department of Economic Development and the Joint Legislative Committee on the Budget. Upon receipt of the recommendations and proposed contract, the Joint Legislative Committee shall have thirty days to approve or reject the renewal contract."**

AMENDMENT NO. 5

June 5, 2007

On page 2, between lines 22 and 23 insert the following:
"\$4302. Contracts of exemption; renegotiation; violation; lists

B. Each contract of exemption entered into under authority of this Chapter may be renewed for periods of up to five years, provided that the total number of years of exemption shall not exceed fifteen years unless otherwise provided in R.S. 47:3204(B)(1)(b).

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 341— BY SENATOR JACKSON

AN ACT

To enact R.S. 47:297.7, relative to individual income tax; to provide for an earned income tax credit against state tax; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 353—

BY SENATORS JACKSON, N. GAUTREAUX, MALONE, MARIONNEAUX, MICHOT AND MURRAY

AN ACT

To enact R.S. 47:297(P), relative to the individual income tax; to provide a tax credit for individuals whose income is less than or equal to the federal poverty level; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 353 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, change "enact R.S. 47:297(P)" to "amend and reenact R.S. 47:32(A)(1) and 295(B)" and after "tax;" delete the remainder of the line and lines 3 and 4, and insert the following: "to reduce the income taxes of individuals of certain incomes; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and insert "R.S. 47:32(A)(1) and 295(B) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 7 through 17 and on page 2 delete lines 1 through 3 and insert:

"§32. Rates of tax
A. On individuals. The tax to be assessed, levied, collected, and paid upon the taxable income of an individual shall be computed at the following rates:

(1) ~~Two percent~~ No tax shall be assessed, levied, collected, or paid on that portion of the first twelve thousand five hundred dollars of net income which is in excess of the credits against net income provided for in R.S. 47:79;

§295. Tax imposed on individuals; administration

B. The secretary shall establish tax tables that calculate the tax owed by taxpayers based upon where their taxable income falls within a range that shall not exceed two hundred fifty dollars. The secretary shall provide in the tax tables that the combined personal exemption, standard deduction, and other exemption deductions in R.S. 47:294 which exceed the first twelve thousand five hundred dollars of net income which is in excess of the credits against net income provided for in R.S. 47:79 in the case of taxpayers who

are filing single or married-separate returns, or the first twenty-five thousand dollars of net income which is in excess of such credits in the case of taxpayers who are filing married-joint returns, or as qualified surviving spouse or head of household shall be deducted from the two percent bracket. If such combined exemptions and deductions exceed the two percent bracket, the excess shall be deducted from the four percent bracket. If such combined exemptions and deductions exceeds the two and four percent brackets, the excess shall be deducted from the six percent bracket.

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 360—

BY SENATORS MICHOT, KOSTELKA, MALONE, MOUNT, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 47:306(B)(11), relative to the collection of sales tax by wholesalers and the exemption from payment of advance sales tax to certain retail dealers; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 270—

BY REPRESENTATIVES ALARIO AND THOMPSON AN ACT

To amend and reenact R.S. 51:1286(C)(1) and to repeal R.S. 51:1286(C)(3), (5), and (6), relative to the Louisiana Tourism Promotion District; to remove the limitation on the amount of the proceeds of the sales and use tax levied by the district dedicated and pledged to specific purposes; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 774—

BY REPRESENTATIVE ALARIO AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes for 2006-2007 Fiscal Year; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 774 by Representative Alario

AMENDMENT NO. 1

On page 2, between lines 25 and 26, insert the following: "20-945 STATE AID TO LOCAL GOVERNMENT ENTITIES

Payable out of the State General Fund (Direct) to the Avoyelles Parish Police Jury for Spring Bayou ecosystem restoration and hydrilla control project in the parish Master Plan \$100,000

Payable out of the State General Fund (Direct) to the Louisiana Rural Water Association for training and technical assistance to rural utilities \$100,000"

**AMENDMENT NO. 2**

On page 2, between lines 34 and 35, insert the following:  
 "Section 3. In the language contained in Act 17 of the 2006 Regular Session of the legislature, on page 181 of 279, lines 1 through 4 for 19-600 LOUISIANA STATE UNIVERSITY BOARD OF SUPERVISORS for the Louisiana State University Health Sciences Center - New Orleans "Provided, however, that prior to expenditure of the \$15,000,000 appropriated herein for operational cost, including resident and faculty payments, the Louisiana State University Health Sciences Center - New Orleans shall submit a detailed plan for the use of the appropriation to the Joint Legislative Committee on the Budget for its review and approval" shall be null and void and of no effect.

Section 3. A. The appropriation contained in Act 17 (House Bill No. 1) of the 2006 Regular Session of the Legislature to 09-305 Medical Vendor Administration out of the State General Fund (Direct) and Federal Funds for Disease Management Initiatives is null and void and of no effect and the state treasurer is ordered to refuse to honor any warrant drawn upon such appropriation.

Section 4. In the language contained in Act 17 of the 2006 Regular Session of the Legislature, on page 180, delete line 62 and insert in lieu thereof "Center - New Orleans for operation costs, major repairs, equipment, and other facility expenditures."

Section 4.A. The following sums are hereby appropriated out of the General Fund of the state of Louisiana for making capital outlay appropriations and for the purposes and in the amounts specified for the fiscal year commencing July 1, 2006, and ending June 30, 2007.

**19/617 SOUTHERN UNIVERSITY NEW ORLEANS**

(1677) Student Housing On Campus, Planning and Construction (Orleans)

Payable from Fees and Self Generated Revenues including a loan from the United States Department of Education \$44,000,000

Provided, however, that the provisions of Sections 2 through 18, inclusive, of Act 27 of the 2006 Regular Session of the Legislature are adopted and incorporated by reference for this appropriation."

**AMENDMENT NO. 3**

On page 2, line 35, change "Section 3" to "Section 5"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**Senator Bajoie in the Chair**

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of reverting to the order of

**Senate Concurrent Resolutions, on Second Reading, Subject to Call**

The following Senate Concurrent Resolutions on second reading, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Hines asked that Senate Concurrent Resolution No. 76 be called from the Calendar at this time.

**SENATE CONCURRENT RESOLUTION NO. 76—**  
 BY SENATORS HINES, BAJOIE, MCPHERSON AND HEITMEIER  
 A CONCURRENT RESOLUTION

To approve the business plan submitted by the office of facility planning and control within the division of administration for the new Medical Center of Louisiana in New Orleans, as required by Action Plan Number 2, Amendment Number 1 for Community Development Block Grant Funds proposed by the Louisiana Recovery Authority, approved and submitted by the governor, and approved by the Joint Legislative Committee on the Budget and by a majority of the elected members of each house of the legislature; and to provide for other matters pertaining thereto.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Ellington	Mount
Adley	Fields	Murray
Bajoie	Gautreaux B	Nevers
Broome	Gautreaux N	Shepherd
Cain	Heitmeier	Smith
Chaisson	Hollis	Theunissen
Cravins	Jones	Ullo
Duplessis	Marionneaux	
Dupre	McPherson	
Total - 25		

**NAYS**

Barham	Lentini	Romero
Cassidy	Michot	Schedler
Kostelka	Quinn	
Total - 8		

**ABSENT**

Amedee	Cheek	Jackson
Boasso	Fontenot	Malone
Total - 6		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Regular Order of the Day, Resumed**

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

**SENATE BILL NO. 14—**  
 BY SENATOR HINES AND REPRESENTATIVE SALTER  
 AN ACT

To amend and reenact R.S. 39:1401(C) and to enact R.S. 39:1401(D), relative to the State Bond Commission; to provide for rotation of the chairmanship of the commission; to establish an executive committee of the commission; to provide that the executive committee shall set the agenda for commission meetings; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

June 5, 2007

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 14 by Senator Hines

AMENDMENT NO. 1

On page 1, line 3, after "Commission;" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 4, after "commission;" insert "to provide for rotation of the chairmanship of the executive committee;"

AMENDMENT NO. 3

On page 1, delete lines 12 through 15 and insert "C. The state treasurer shall serve as chairman of the State Bond Commission, and the State Bond"

AMENDMENT NO. 4

On page 2, line 2, after "treasurer." delete the remainder of the line and insert "The president of the Senate, the speaker of the House of Representatives, and then the state treasurer shall serve as chairman of the executive committee on a rotating calendar year basis."

AMENDMENT NO. 5

On page 2, delete line 3 and insert "The executive committee shall"

On motion of Senator Hines, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 14 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "(D)" insert "and (E)"

AMENDMENT NO. 2

On page 1, line 5, after "meetings;" insert "to provide for placement of additional items on the agenda for commission meetings;"

AMENDMENT NO. 3

On page 1, line 8, after "(D)" insert "and (E)"

AMENDMENT NO. 4

On page 1, line 9, change "is" to "are"

AMENDMENT NO. 5

On page 2, between lines 4 and 5, insert "E. A majority of the members of the State Bond Commission may place an item on the agenda by sending a written request to the chairman no less than seven days prior to a scheduled meeting, provided that the item is in compliance with the rules and regulations relative to the State Bond Commission."

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Hines moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS': Mr President, Bajoie, Broome, Cravins, Duplessis, Gautreaux B, Gautreaux N, Heitmeier, Jones, Malone, Murray, Nevers, Romero, Schedler, Shepherd

Dupre, Ellington, Fields, Fontenot, Total - 25

Marionneaux, McPherson, Michot, Mount, Smith, Ullo

NAYS

Adley, Barham, Cain, Total - 9

Cassidy, Chaisson, Hollis, Kostelka, Lentini, Quinn

ABSENT

Amedee, Boasso, Total - 5

Cheek, Jackson, Theunissen

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Notice Regarding Vote

Senator Michot stated he had voted in error on Senate Bill No. 14. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Notice Regarding Vote

Senator Malone stated he had voted in error on Senate Bill No. 14. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Senator Ellington in the Chair

SENATE BILL NO. 33— BY SENATORS B. GAUTREAUX AND DUPRE AN ACT

To amend and reenact R.S. 34:2203(B)(8), relative to the Terrebonne Port Commission; to provide for the powers, duties, and functions of the Terrebonne Port Commission; to provide relative to expropriation; to specify certain facilities not subject to expropriation by the commission; and to provide for related matters.

On motion of Senator B. Gautreaux, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 157— BY SENATOR MARIONNEAUX AN ACT

To amend and reenact R.S. 18:463(B)(1) and R.S. 42:1114(E) and to enact R.S. 42:1114(D) and (F), 1114.1(E) and 1124(B)(8), relative to ethical standards; to provide for public servants; to provide for legislators; to provide for the governor; to provide for financial disclosure; to provide for notice of candidacy; and to provide for related matters.

Motion

On motion of Senator Marionneaux, Senate Bill No. 157 was made Special Order of the Day No. 1 on Wednesday, June 13, 2007, immediately following the Morning Hour.

SENATE BILL NO. 222— BY SENATOR LENTINI AN ACT

To amend and reenact R.S. 18:621, relative to a vacancy in the office of a judge; to provide relative to the calling of a special election by the governor; to provide relative to the date of such election; to provide certain terms, conditions, and procedures; to authorize certain action by the governor and legislature; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 243— BY SENATOR NEVERS

AN ACT

To amend and reenact Section 2 of Act No. 504 of the 2005 Regular Session of the Legislature, relative to tax credits; to change the termination date for tax credits to certain contractors and subcontractors who provide employee and dependent health insurance coverage; and to provide for related matters.

The bill was read by title. Senator Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, Michot. Lists names of senators who voted 'yeas'.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Boasso. Lists names of senators who were absent.

Total - 2

The Chair declared the bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 265— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 17:416(A)(2)(c), (B)(2) and (3)(b) and (d)(i), (C)(2), and R.S. 17:416.2(A) and to repeal R.S. 17:416.2(B), relative to student suspensions and expulsions; to provide for minimum expulsion periods for certain offenses; to provide relative to student participation in appropriate rehabilitation or counseling programs; to provide relative to student admission to regular and alternative education programs; to provide relative to local school board applications for waivers from certain requirements; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 265 by Senator Ullo

AMENDMENT NO. 1

On page 1, between lines 13 and 14 insert " \* \* \* "

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 265 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 3, after "(A)" delete "and to repeal R.S. 17:416.2(B)" and insert in lieu thereof "and (B)"

AMENDMENT NO. 2

On page 1, line 11, between "(A)" and "are" insert "and (B)"

AMENDMENT NO. 3

On page 2, line 4, after "setting" insert "unless the board is exempt as provided by law from providing such alternative school setting"

AMENDMENT NO. 4

On page 6, delete lines 19 and 20, and insert in lieu thereof the following"

"B.(1) Any city, parish, or other local school system unable to comply with the provisions of Subsection A of this Section for economically justifiable reasons as defined by the State Board of Elementary and Secondary Education may apply to the board on a school year to school year basis for a waiver from the requirements of these provisions.

(2) The State Board of Elementary and Secondary Education shall take under review and consideration any request application for such a waiver; however, no approval shall be granted by the board until the state superintendent of education has certified superintendent of the city, parish, or other local school system seeking the waiver has submitted a sworn statement certifying the accuracy and validity of the information submitted to justify the request application.

\* \* \*

On motion of Senator Ullo, the amendments were adopted.

On motion of Senator Ullo, the amended bill was read by title and recommitted to the Committee on Finance.

Rules Suspended

Senator Jackson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Resolutions Just Advanced to a Second Reading

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 75—

BY SENATORS JACKSON, ADLEY, CHEEK, MALONE AND SMITH A RESOLUTION

To designate June 5, 2007, as Northwest Connection Day at the Senate of the Legislature of Louisiana and to urge and request the governor and the Department of Transportation and Development to work in a collaborative effort with members of the Louisiana congressional delegation to make completion of Interstate 49 North a high priority and to seek all possible sources of funding, both state and federal, to complete this endeavor as expeditiously as possible.

On motion of Senator Jackson, the resolution was read by title and adopted.

Mr. President in the Chair

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 268— BY SENATOR FIELDS

AN ACT

To amend and reenact the introductory paragraph of R.S. 18:110(B)(1), 401(B)(2)(a)(i), 493, 1275.1, 1275.11(A), (B) and (D), 1275.14(B), 1275.15, 1275.19, 1275.20, 1280.21(B) and 1405(A), relative to elections; to provide for first party primary elections; to provide for unaffiliated voters to participate in primary elections; to provide for the reopened qualifying period; to provide for candidates who qualify for a general election; to provide for nomination of candidates; to provide for qualified voters; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 268 by Senator Fields

AMENDMENT NO. 1

On page 5, line 19, following "nominee" and before "are" delete "office"

On motion of Senator Lentini, the amendments were adopted.

On motion of Senator Fields, the amended bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 317— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:330.12(A), (D), and (E), and to enact R.S. 38:330.12(F), relative to the Orleans Levee District; to provide for the control of certain property of that district; to provide relative to certain facilities and improvements; and to provide for related matters.

On motion of Senator Murray, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 320— BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:115(F)(2)(d)(i) and 1308.3(A)(1), (2)(a) and (B) and to enact R.S. 18:401.4, relative to the election code; to provide for early voting in an election conducted pursuant to an emergency plan; to allow registered voters of an affected area to vote during early voting in the offices of the registrars in certain parishes for certain elections; to provide relative to the manner of conducting the early voting in other parishes; to require the secretary of state to assist the registrars of voters in conducting early voting; to provide for absentee by mail voting; to provide for early voting; to provide for absentee voting by mail by temporarily displaced persons; to provide for the application to such persons of certain provisions relative to absentee voting by mail by United States service members and persons residing outside the United States; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of the provisions; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Murray asked that Senate Bill No. 121 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 121— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2318.1(B) and to enact R.S. 38:2225.2.1, relative to public contracts; to authorize a political subdivision to utilize the design-build method for the construction or repair of any public building or structure or any other public work in certain circumstances; to provide for procedures, requirements, and limitations; to provide relative to qualifications and selection of design-build competitors; to provide relative to preference of and procedures for evaluation and selection of a design-builder; to provide for public announcement procedures; to provide relative to legal challenges; to provide for effectiveness; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 121 by Senator Murray

AMENDMENT NO. 1

On page 3, line 9, following "Paragraph" and before "of" change "(A)(1)" to "(A)(2)"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 121 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3, change "a political subdivision" to "certain public entities"

AMENDMENT NO. 2

On page 1, line 4, delete "or any other public work"

AMENDMENT NO. 3

On page 1, line 7, change "relative to preference of and" to "for"

AMENDMENT NO. 4

On page 1, line 13, change "political subdivisions" to "certain public entities"

AMENDMENT NO. 5

On page 1, line 14, change "of a gubernatorially declared state of emergency" to "damaged by Hurricane Katrina, Hurricane Rita, or both"

AMENDMENT NO. 6

On page 1, line 15, change "a political subdivision" to "the following public entities"

AMENDMENT NO. 7

On page 2, delete lines 1 through 3, insert the following: "damaged by Hurricane Katrina, Hurricane Rita, or both: the division of administration, the Recovery School District, the city of New Orleans and parish governments in parishes that were heavily damaged by Hurricane Katrina, Hurricane Rita, or both."

AMENDMENT NO. 8

On page 2, line 4, change "political subdivision" to "public entity"

AMENDMENT NO. 9

On page 2, lines 5 and 6, delete "or any other public work"

AMENDMENT NO. 10

On page 2, line 7, change "prepare plans and specifications of the work, and adopt" to "adopt a list of projects under which design-build contracts will be utilized; and"

AMENDMENT NO. 11

On page 2, lines 8 and 9, change "ordering and describing in general terms the public work to be done and" to "adopting the selection process promulgated by the division of administration, office of facility planning and control,"

AMENDMENT NO. 12

On page 2, between lines 12 and 13, insert the following: "This authority shall extend for two years from the effective date of this Act after which time only those projects that were contracted for prior to that date may proceed."

AMENDMENT NO. 13

On page 2, line 13, delete "(1)"

AMENDMENT NO. 14

On page 2, line 17, change "(a)" to "(1)"

AMENDMENT NO. 15

On page 2, line 20, change "(b)" to "(2)"

AMENDMENT NO. 16

On page 2, delete lines 24 through 29 and on page 3, delete lines 1 through 4.

AMENDMENT NO. 17

On page 3, line 5, between "authority" and "shall" insert "of the public entity"

AMENDMENT NO. 18

On page 3, line 6, between "ordinance" and "establishing" insert "adopting procedures promulgated by the division of administration, office of facility planning and control,"

AMENDMENT NO. 19

On page 3, line 8, change "design-build contractors" to "design-builders"

AMENDMENT NO. 20

On page 3, line 10, change "ordinance" to "procedures promulgated by the division of administration, office of facility planning and control,"

AMENDMENT NO. 21

On page 3, line 13, change "associated" to "providing design and design related services"

AMENDMENT NO. 22

On page 3, between lines 16 and 17, insert the following:

"(b) All architectural firms providing design services with the design-builder to which the design-build contract is awarded

shall be licensed to perform the services by the Louisiana Board of Architectural Examiners."

AMENDMENT NO. 23

On page 3, line 17, change "(b)" to "(c)"

AMENDMENT NO. 24

On page 3, delete lines 19 through 26 and insert the following:

"(2) A two stage selection process that will utilize a request for qualifications graded and judged by a primary evaluation committee and a request for technical proposals graded and judged by a separate technical review committee shall be used to select the design-builder and shall include the following specific provisions:"

AMENDMENT NO. 25

On page 4, line 4, change "Internet" to "internet"

AMENDMENT NO. 26

On page 4, delete lines 11 through 29 and on page 5, delete lines 1 through 26, and insert the following:

"(b) These decisions shall be made on the basis of the criteria set forth in this Subsection. Members of the technical review committee shall not have served as members of the primary evaluation committee. Each member of the technical review committee shall score assigned elements. Such scores shall be considered public record.

"(3) The public entity shall provide a request for a qualifications package to design-builders who submit a letter of interest. All required information shall be identified in the request for qualifications package and in the standard response forms. The response to a request for qualifications package shall include statements of qualification by credentials and experience of design component members for the areas of expertise specific to the project and statements of qualification by experience and resources of the construction team component. The completed response form and any other required information shall be transmitted by the responding design-builder by the deadline to submit such forms and information as provided in the request for qualifications package. Any response failing to meet all of the requirements contained in the request for qualifications package shall not be considered. False or misrepresented information furnished in response to a request for qualifications package shall be grounds for rejection.

"(4)(a) A primary design-build evaluation committee shall evaluate the responses to the request for qualifications package received by the department. The following general criteria used by the primary evaluation committee in evaluating responses to the request for qualifications package for design-build services shall apply to both the design and construction components of any responding entity:

"(i) Professional training and experience of both the design and construction entity components and of key personnel in general and as related to the project under consideration.

"(ii) Capacity for timely completion of the work.

"(iii) Past performance on public projects.

"(iv) The quantity and value of public entity work awarded to both the design and construction entity components.

"(v) Any project-specific criteria as may apply to project needs.

"(b) The primary design-build evaluation committee shall consist of a minimum of three members designated by the head of the public entity according to the rules established pursuant to this Subsection.

"(c) The primary evaluation committee shall evaluate the qualifications of responding design-builders on the basis of the criteria set forth in this Subsection and the rules established pursuant to this Subsection and shall select a short list of not fewer than three of the highest rated entities; however, if fewer than three responses are received, the head of the public entity may approve proceeding with the design-build process. The primary evaluation committee may, at its discretion, be assisted by other public entity personnel in its evaluation of a design-builder's qualifications. The primary design-build evaluation

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committee shall present its short list to the head of the public entity. The short-listed design-builders shall be invited to submit a detailed technical proposal for the design-build project. The invitation to the short-listed entities shall specify a deadline for submission of such proposals.

(5)(a) The specific requirements of the technical proposal shall be identified by the public entity to the design-builders making the short list by means of a "Scope of Services Package." Generally, the technical proposal shall include discussions of design strategy and preliminary design concepts, space standards, space planning, fundamental requirements, quality standards, capacities, other design related issues, materials, the schedule for commencement and completion of all phases of work, and a lump sum cost for all services in fulfillment of the requirements and within the constraints of the "Scope of Services Package."

(b) For more complex projects and projects with scopes which permit flexibility and innovation in the design approach, the public entity may compensate unsuccessful and responsive short-listed entities for the expense of preparing the technical proposal. The determination of whether or not compensation will be paid for the technical proposal and the amount shall be predetermined by the public entity and shall be included in the scope of services package. The public entity may use concepts submitted by any paid short-listed design-builder in the construction of the project.

(6) A technical review committee for evaluation of design-build proposals shall be established according to the rules established pursuant to this Subsection. This committee shall be made up of building construction professionals as defined in the rules established pursuant to this Subsection. The technical review committee shall identify specific technical elements of the project, depending on the characteristics of the project, to be included in the technical score. The technical review committee may select additional engineering, architectural and technical experts, and nationally recognized design-build experts to serve as committee members to score each technical element of the project.

(a) An adjusted score approach shall be used by the public entity in determining the winning proposal. An adjusted score shall be determined using the following components:

(i) The technical score determined by the technical review committee. Weighing factors may be assigned to each element depending on its relative magnitude or significance to the overall project. Each technical review committee member shall rate his assigned element of the proposal from each of the design-builders on the short list and shall submit such scores to the chairman of the technical review committee. The schedule and price bid shall not be made known to the technical review committee during the scoring process. The chairman of the technical review committee shall adjust the scores for any applicable weighing factors and shall determine the total technical score for each proposal. Prior to determining the adjusted score, the chairman of the technical review committee shall notify each design-builder, in writing, of each design builder's final total technical score.

(ii) The time value, consisting of the product of the proposed contract time expressed in calendar days multiplied by the value-per-calendar-day expressed in dollars established by the public entity and included in the "Scope of Services Package."

(iii) The price proposal.

(b) The winning proposal shall be the proposal with the lowest adjusted score. The adjusted score for each entity's design-build proposal shall be determined by the following formula: Adjusted Score = (Price Bid + Time Value) divided by Technical Score. Use of the Time Value is not mandatory and if it is not used, the Adjusted Score shall be determined by the following formula: Adjusted Score = Price Bid divided by Technical Score.

(7) Design-builders who have submitted bona fide proposals may, within seven days of the announcement of the award, challenge the award based on any of the foregoing reasons, and only those reasons, by submitting a letter to the head of the public entity describing in detail the reasons for the challenge. The head of the public entity shall have the authority to resolve any challenge concerning the award of a contract. A written decision

shall be rendered within fourteen days and shall be mailed or otherwise furnished immediately to the design-builder making the challenge. The decision shall be final and conclusive unless:

(a) The decision is fraudulent; or

(b)(i) If the public entity is a state entity, the person adversely affected by the decision has timely appealed to the court in accordance with R.S. 39:1691(A).

(ii) If the public entity is a nonstate entity, the person adversely affected by the decision has timely appealed to the court of proper venue for the public entity."

AMENDMENT NO. 27

On page 5, line 27, change "G." to "E."

AMENDMENT NO. 28

On page 5, line 28, between "price" and "executed" insert "is"

AMENDMENT NO. 29

On page 6, line 4, change "H." to "F."

On motion of Senator Murray, the amendments were adopted.

The bill was read by title. Senator Murray moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Dupre	Mount
Bajoie	Ellington	Murray
Barham	Fields	Nevers
Broome	Fontenot	Romero
Cain	Gautreaux B	Schedler
Cassidy	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Jones	Theunissen
Cravins	Marionneaux	Ullo
Duplessis	McPherson	
Total - 29		

NAYS

Gautreaux N	Malone	Quinn
Kostelka	Michot	
Total - 5		

ABSENT

Adeley	Boasso	Lentini
Amedee	Heitmeier	
Total - 5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Murray asked that Senate Bill No. 296 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 296—  
BY SENATOR MURRAY

AN ACT

To repeal R.S. 38:225(B) and 301(C)(2)(e), relative to levees; to repeal provision which allows for the removal of certain obstructions on levees at the expense of the owner; to repeal provision which allows for discretionary compensation to such land owners; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Ellington	Michot
Adley	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Broome	Gautreaux N	Quinn
Cain	Heitmeier	Romero
Cassidy	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Duplessis	Marionneaux	Uilo
Dupre	McPherson	
Total - 35		

**NAYS**

Malone  
Total - 1

**ABSENT**

Amedee	Boasso	Lentini
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Romero asked that Senate Bill No. 272 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 272—**  
BY SENATORS ROMERO AND N. GAUTREUX  
AN ACT

To enact R.S. 47:301(14)(g)(iii), relative to sales tax of the state and its political subdivisions; to provide for an exclusion from such taxes for certain drilling rigs and their component parts; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 272 by Senator Romero

AMENDMENT NO. 1  
On page 1, line 2, after "To" insert "amend and reenact R.S. 47:301(14)(g)(i) and to"

AMENDMENT NO. 2  
On page 1, line 4, after "component parts" insert "and for certain repairs to property delivered to another state"

AMENDMENT NO. 3  
On page 1, line 6, after "Section 1." insert: "R.S. 47:301(14)(g)(i) is hereby amended and reenacted and"

AMENDMENT NO. 4  
On page 1, delete line 14, and insert:  
"(g)(i)(aa) The furnishing of repairs to tangible personal property, including but not restricted to the repair and servicing of automobiles and other vehicles, electrical and mechanical appliances and equipment, watches, jewelry, refrigerators, radios, shoes, and office appliances and equipment.

(bb) ~~Solely~~ For purposes of the sales and use tax levied by the state **and by tax authorities in parishes with a population between twenty-one thousand three hundred and twenty-one thousand four hundred and fifty according to the most recent federal decennial census**, charges for the furnishing of repairs to tangible personal property may be excluded from sales of services, as defined in this Subparagraph, when the repaired property is delivered to the customer in another state either by common carrier or the repair dealer's own vehicle, however, as to aircraft, delivery may be by the best available means. This exclusion shall not apply to sales and use taxes levied by any **other** parish, municipality or school board. However, any **other** parish, municipality or school board may apply the exclusion as defined in this Subparagraph to sales or use taxes levied by any such parish, municipality, or school board. Offshore areas shall not be considered another state for the purpose of this Subparagraph.

\* \* \*

On motion of Senator Marionneaux, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Chaisson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 272 by Senator Romero

AMENDMENT NO. 1  
On page 1, line 2, after "(iii)" insert "and 337.10(L)"

AMENDMENT NO. 2  
On page 1, line 4, after "parts;" insert "to authorize certain political subdivisions of the state to enact the same sales tax holidays legislation as may be provided by state law;"

AMENDMENT NO. 3  
On page 1, line 6, change "(iii) is" to "(ii) and 337.10(L) are"

AMENDMENT NO. 4  
On page 2, between lines 11 and 12, insert:  
"\$337.10. Optional exclusions and exemptions

\* \* \*

**L. A political subdivision located in a parish with a population between forty-five thousand and forty-eight thousand two hundred fifty according to the most recent federal decennial census may by ordinance or resolution provide that sales and use tax imposed by the political subdivision shall not apply to the same purchases, at the same time, according to the same definitions and procedures, under the same conditions, and exempting the same amount of sales price or cost price of tangible personal property as provided for in that Act which originated as Senate Bill No. 3 of the 2007 Regular Session of the Legislature or in any other Act enacted in that session or in any other session which provides for annual sales tax holidays.**

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Romero moved the final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers

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Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneau	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Boasso	Lentini
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Total - 3

The Chair declared the amended bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Romero asked that Senate Bill No. 345 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 345—**  
BY SENATOR ROMERO

AN ACT

To enact R.S. 39:562(N), relative to the general obligation bonds limit of indebtedness; to provide for the limit of indebtedness of parishes and any parish wide hurricane flood protection and drainage district for certain purposes; to provide certain terms and conditions; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneau	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Boasso	Lentini
--------	--------	---------

Total - 3

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senator Fontenot in the Chair**

**House Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 11—**  
BY REPRESENTATIVES HUTTER AND GARY SMITH  
A CONCURRENT RESOLUTION

To authorize and direct the State Licensing Board for Contractors to consult with the attorney general in order to develop proposed legislation creating a homeowner's bill of rights to protect the rights of homeowners when building or repairing their homes, particularly in those areas impacted by Hurricane Katrina and Hurricane Rita.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

**HOUSE CONCURRENT RESOLUTION NO. 13—**  
BY REPRESENTATIVE GARY SMITH  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to give tax relief to small businesses which provide health insurance for their employees.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr President	Ellington	Mount
Adley	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Cassidy	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Malone	Ullo
Duplessis	Marionneau	
Dupre	McPherson	

Total - 34

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	Michot
Boasso	Lentini	

Total - 5

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 75—**  
BY REPRESENTATIVE DURAND AND SENATOR MCPHERSON  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to engage in a cooperative effort with other public and private organizations and institutions in establishing the Louisiana Health Care Quality Forum.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. Senator Bajoie moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Dupre	McPherson
Adley	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Smith
Cravins	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Amedee	Gautreaux B	Lentini
Boasso	Jackson	Shepherd
Total - 6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 84—**  
BY REPRESENTATIVE HUTTER  
A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to prepare a report with respect to any known business studies that rank Louisiana's economy or its businesses against the economies or businesses of other states.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

**HOUSE CONCURRENT RESOLUTION NO. 40—**  
BY REPRESENTATIVE CROWE  
A CONCURRENT RESOLUTION

To urge and request local law enforcement agencies to consider collecting information regarding e-mail addresses, user names, and instant messaging screen names from sex offenders and child predators and to additionally urge and request that all judges when imposing sentence on such offenders as a condition of any sentence and probation that the defendant provide all such information to his probation officer which shall be made available to law enforcement.

Reported favorably by the Committee on Judiciary C.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Ellington	McPherson
Adley	Fields	Michot

Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 36		

**NAYS**

Total - 0

**ABSENT**

Amedee	Boasso	Lentini
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 12—**  
BY REPRESENTATIVE GARY SMITH AND SENATOR CHAISSON  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of installing guardrails along a portion of U.S. Highway 61 in St. Charles Parish and to reestablish the U.S. Highway 61 Task Force.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr President	Ellington	Mount
Adley	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Cassidy	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Malone	Theunissen
Cravins	Marionneaux	Ullo
Duplessis	McPherson	
Dupre	Michot	
Total - 34		

**NAYS**

Total - 0

**ABSENT**

Amedee	Gautreaux B	Lentini
Boasso	Jackson	
Total - 5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 15—**  
BY REPRESENTATIVE GARY SMITH  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive student loans of college graduates who move to Louisiana to support activities to rebuild and revitalize communities damaged by Hurricanes Katrina or Rita.

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Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original House Concurrent Resolution No. 15 by Representative Gary Smith

AMENDMENT NO. 1

On page 2, line 11, between "be" and "partial" insert "limited to"

On motion of Senator Ullo, the committee amendment was adopted.

The resolution was read by title. Senator Chaisson moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington Mount
Adley Fields Murray
Bajoie Fontenot Nevers
Barham Gautreaux N Quinn
Broome Heitmeier Romero
Cain Hollis Schedler
Cassidy Jones Shepherd
Chaisson Kostelka Smith
Cheek Malone Theunissen
Cravins Marionneaux Ullo
Duplessis McPherson
Dupre Michot
Total - 34

NAYS

Total - 0

ABSENT

Amedee Gautreaux B Lentini
Boasso Jackson
Total - 5

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

Mr. President in the Chair

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of U.S. Highway 11 in St. Tammany Parish as the "Clarence 'Gatemouth' Brown Memorial Highway" and to erect proper signage along this route to reflect this designation.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington McPherson
Adley Fields Michot
Bajoie Fontenot Mount

Barham Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Quinn
Cassidy Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Amedee Boasso Lentini
Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to repeal the federal Real ID Act of 2005.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Senator Hollis, the resolution was read by title and returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVE HILL AND SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the portion of Louisiana Highway 26 from the Oberlin city limits to Mittie in Allen Parish as the "Staff Sergeant William 'Bill' F. Manuel Memorial Highway" and to erect signage along this route reflecting this designation.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington McPherson
Adley Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Quinn
Cassidy Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Amedee Boasso Lentini
Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 29—

BY REPRESENTATIVE TRAHAN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of U.S. Highway 167 in Lafayette Parish and Vermilion Parish as "Vermilion Parkway".

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator N. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington McPherson
Adley Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Quinn
Cassidy Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Amedee Boasso Lentini
Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 43—

BY REPRESENTATIVE ST. GERMAIN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of Louisiana Highway 70 within Assumption Parish as Veterans Memorial Highway and to erect proper signage along this route reflecting this designation.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator B. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington McPherson
Adley Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Quinn
Cassidy Hollis Romero

Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Amedee Boasso Lentini
Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to lower the speed limit on Louisiana Highway 628 in St. John the Baptist Parish.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington McPherson
Adley Fields Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Broome Gautreaux N Nevers
Cain Heitmeier Quinn
Cassidy Hollis Romero
Chaisson Jackson Schedler
Cheek Jones Shepherd
Cravins Kostelka Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Total - 36

NAYS

Total - 0

ABSENT

Amedee Boasso Lentini
Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect appropriate directional signage on Interstate 10 in Sorrento, Louisiana, indicating the location of River Parishes Community College.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

June 5, 2007

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Boasso	Lentini
Total - 3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 53— BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair the Ostrica Locks in lower Plaquemines Parish.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 60— BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To request that the Department of Transportation and Development designate the portion of Interstate 110 at Harding Boulevard in East Baton Rouge Parish as "Military Order of Purple Heart Memorial Highway, Chapter 177" and erect proper signage along this route reflecting this designation.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original House Concurrent Resolution No. 60 by Representative Dorsey

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "request that" and insert "urge and request" and after "Development" delete the remainder of the line and insert "to designate the interchange of"

AMENDMENT NO. 2

On page 1, line 4, after "Memorial" delete the remainder of the line and delete line 5 and insert as follows: "Interchange, Chapter 177" and to erect proper signage in the appropriate location reflecting this designation."

AMENDMENT NO. 3

On page 2, delete lines 4 and 5, and insert as follows:

"WHEREAS, a memorial designation located at this highly visible interchange will commemorate the extraordinary sacrifices of the courageous men and women of the armed forces who have been killed or wounded in action in defense of liberty and will promote patriotism among all citizens while serving as a monument of gratitude for the tremendous price they have ultimately paid to secure peace and freedom for our great nation."

AMENDMENT NO. 4

On page 2, at the end of line 7, change "portion" to "interchange"

AMENDMENT NO. 5

On page 2, line 9, change "Highway" to "Interchange" and after "signage" delete the remainder of the line and insert "in the appropriate location"

On motion of Senator Ellington, the committee amendment was adopted.

The resolution was read by title. Senator Fields moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Amedee	Boasso	Lentini
Total - 3		

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 74— BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development, in conjunction with the Louisiana State Police and the Louisiana Sheriff's Association, to study all possible methods that can be used to divert traffic on bridges and highways after motor vehicle accidents have occurred.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneau	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Boasso	Lentini
--------	--------	---------

Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 77—**  
BY REPRESENTATIVE JOHNS  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of Louisiana Highway 109 in Calcasieu Parish as the "Reverend A. L. O'Brien Memorial Highway" and to erect proper signage along this route reflecting this designation.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneau	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Boasso	Lentini
--------	--------	---------

Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 78—**  
BY REPRESENTATIVE JANE SMITH  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of Interstate 20 in Caddo and Bossier parishes as "Purple Heart Recipients Highway" and to erect proper signage along this route reflecting this designation.

Reported favorably by the Committee on Transportation, Highways and Public Works.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Cassidy	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneau	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Boasso	Lentini
--------	--------	---------

Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Rules Suspended**

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS**

June 5, 2007

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 415—**  
BY REPRESENTATIVE MORRIS  
AN ACT

To amend and reenact R.S. 11:1761 and 2225(A)(7)(c) and to enact R.S. 11:1145(C) and 2225(A)(7)(d), relative to a nonrecurring lump-sum benefit for certain benefit recipients of certain state

June 5, 2007

and statewide retirement systems; to authorize a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable based on the system valuation for the fiscal year ending June 30, 2007, subject to certain conditions and limitations; to provide for applicability to the Louisiana School Employees' Retirement System, the Municipal Employees' Retirement System of Louisiana, and the Municipal Police Employees' Retirement System; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 767—**  
BY REPRESENTATIVES MCDONALD AND GALLOT  
AN ACT

To amend and reenact R.S. 17:221(A)(2) and 233(B)(1) and to enact R.S. 17:233(C), relative to school attendance; to provide for the circumstances under which a student shall be considered habitually tardy; to require parents and other persons having charge of a student to enforce the attendance of such student at school; to provide relative to violations of such enforcement requirement by parents, tutors, and other persons having charge of certain habitually tardy students; to provide for penalties; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 831—**  
BY REPRESENTATIVES HONEY, ALEXANDER, CHANDLER, FANNIN, ELBERT GUILLORY, KENNEY, M. POWELL, RITCHIE, TRAHAN, AND WALKER  
AN ACT

To enact R.S. 17:1601.7, relative to state buildings; to provide that the Honors College building located on B.A. Little Drive at Southern University at Baton Rouge be renamed the Dr. Dolores Richard Spikes Honors College Building; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 415—**  
BY REPRESENTATIVE MORRIS  
AN ACT

To amend and reenact R.S. 11:1761 and 2225(A)(7)(c) and to enact R.S. 11:1145(C) and 2225(A)(7)(d), relative to a nonrecurring lump-sum benefit for certain benefit recipients of certain state and statewide retirement systems; to authorize a nonrecurring lump-sum benefit if a cost-of-living adjustment is not payable based on the system valuation for the fiscal year ending June 30, 2007, subject to certain conditions and limitations; to provide for applicability to the Louisiana School Employees' Retirement System, the Municipal Employees' Retirement System of Louisiana, and the Municipal Police Employees' Retirement System; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 767—**  
BY REPRESENTATIVES MCDONALD AND GALLOT  
AN ACT

To amend and reenact R.S. 17:221(A)(2) and 233(B)(1) and to enact R.S. 17:233(C), relative to school attendance; to provide for the circumstances under which a student shall be considered habitually tardy; to require parents and other persons having charge of a student to enforce the attendance of such student at school; to provide relative to violations of such enforcement requirement by parents, tutors, and other persons having charge of certain habitually tardy students; to provide for penalties; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 831—**  
BY REPRESENTATIVES HONEY, ALEXANDER, CHANDLER, FANNIN, ELBERT GUILLORY, KENNEY, M. POWELL, RITCHIE, TRAHAN, AND WALKER  
AN ACT

To enact R.S. 17:1601.7, relative to state buildings; to provide that the Honors College building located on B.A. Little Drive at Southern University at Baton Rouge be renamed the Dr. Dolores Richard Spikes Honors College Building; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

June 5, 2007

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 14—**  
BY SENATOR QUINN  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to conduct an independent, bipartisan investigation into the failure of the federal levees on August 29, 2005, which flooded eighty percent of the city of New Orleans and the surrounding region, including the parishes of St. Bernard, Jefferson, Orleans, and St. Charles.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Motion to Recommit**

Senator Chaisson asked for and obtained a suspension of the rules and recommitted House Bill No. 484 from the Committee on Judiciary C to the Committee on Judiciary B.

**Rules Suspended**

Senator Marionneaux asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 158 from the Committee on Finance.

**SENATE BILL NO. 158—**  
BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact RS 22:175(A)(4) and R.S. 23:1211 and to enact R.S. 22:175(A)(5), relative to life insurance allowances for officers and other members of the military forces of this state while in the service of the state of Louisiana in the course of the business of the military forces of this state; to provide for policy limits in cases of death and injury; to provide for an effective date; and to provide for related matters.

On motion of Senator Marionneaux, the bill was read by title and passed to a third reading.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 5, 2007

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 79—  
BY SENATOR N. GAUTREAU AND REPRESENTATIVE PINAC  
A CONCURRENT RESOLUTION**

To commend Edmund L. Habetz for being named Outstanding Business Person of the Year for 2006-2007 by the Crowley Chamber of Commerce.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Amedee            1 Day            Boasso            1 Day

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Wednesday, June 6, 2007, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, June 6, 2007.

GLENN A. KOEPP  
Secretary of the Senate

LYNDA E. WHEELER  
Journal Clerk

